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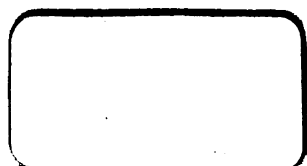
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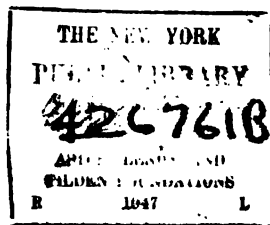
For the Year 1825.



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PREFACE.

CIRCUMSTANCES which no human foresight could have discovered, prevented the appearance of this Volume at the time promised :—that such has been the case is cause of regret to those most interested. They have the only consolation, that the force of circumstances, and not neglect upon their part, occasioned it.

They respectfully commit this Volume to that patronage which has been so kindly exercised towards its predecessors.

London, June 8, 1826.

STATE OFFICERS OF ENGLAND AND IRELAND.

First Lord of the Treasury	Earl of Liverpool.
Lord Chancellor	Earl of Eldon.
Lord Privy Seal	Earl of Westmoreland.
President of the Council	Earl of Harrowby.
Secretary of State for the Home Department	Right Hon. R. Peel.
Secretary of State for the Foreign Department	Right Hon. G. Canning.
Secretary of State for Colonies and War	Earl Bathurst.
Chancellor of the Exchequer	Right Hon. F. J. Robinson.
First Lord of the Admiralty	Viscount Melville.
Master General of the Ordnance	Duke of Wellington.
President of the Board of Control	Right Hon. C. W. W. Wynne.
Chancellor of the Duchy of Lan- caster	Lord Bexley.
	Lord Sidmouth.

THE ABOVE FORM THE CABINET.

Lord Chamberlain	Duke of Montrose.
Lord Steward	Marquis of Conyngham.
Master of the Horse	Duke of Dorset.
Secretary at War	Viscount Palmerston.
Treasurer of the Navy, and Presi- dent of the Board of Trade	Right Hon. W. Huskisson.
Paymaster of the Forces	Right Hon. Sir Charles Long.
Vice President of the Board of Trade	Right Hon. Sir Charles Grant.
Postmaster General	Earl of Chichester.
Lieut.-General of the Ordnance	Sir George Murray, G.C.B.
First Commissioner of Land Re- venue	Right Hon. C. Arbuthnot.
Attorney General	Sir J. S. Copley, Knt.
Solicitor General	Sir Charles Wetherell, Knt.

IRELAND.

Lord Lieutenant of Ireland	Marquis Wellealey.
Lord Chancellor	Lord Mannors.
Commander of the Forces	Lord Combermere.
Chief Secretary	Right Hon. H. Goulburn.
Vice Treasurer	Right Hon. Sir G. F. Hill, Bart.
Attorney General	Right Hon. W. C. Plunkett.
Solicitor General	Henry Joye, Esq.

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* * The highest and lowest Prices in each Month are marked.

	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sep.	Oct.	Nov.	Dec.
Bank Stock.	{ 232½ 229½ }	240 233½	—	233½ 231½	231 227½	232 231½	232½ 230½	230½ 228	229½ 228	226½ 224½	225 221	217½ 198
3 per ct. Red.	{ 95 94½ }	95 93½	94½ 94½	92 91½	91 88½	90½ 89½	91½ 90½	91½ 89½	88½ 87½	87½ 86½	86½ 85	83½ 78½
3 per ct. Con.	{ 93½ 93½ }	—	93½ 93½	92½ 92½	91½ 89	—	90½ 90½	90½ 89½	87½ 87½	88½ 87½	87½ 87½	82½
3½ per cent.	{ 101½ 101½ }	101½	—	99½ 99½	98½ 96½	98½ 97½	98½ 98½	98½ 97½	95½ 95½	95½ 95½	94½ 91½	86½ 84½
Do. Reduced.	{ 101½ 100½ }	101½ 101½	101½ 101½	99½ 99½	98½ 98½	97½ 97½	98½ 98½	—	95½ 94½	95½ 94½	94½ 91	89½ 84½
New 4 percent.	{ 106 105½ }	106½ 105½	106½ 105½	106½ 106½	105½ 104½	—	104½ 103½	104 102½	102½ 100½	103½ 102½	103½ 101½	—
Long Anns.	{ 23½ 22½ }	23½ 23½	—	22½ 22½	22 21½	22½ 21½	22½ 22½	22½ 22½	21½ 21½	21½ 21½	21 20½	20 18½
India Stock.	{ 281½ 281½ }	282 281½	284	282½ 280	280½ 276½	—	273½ 272½	270½ 270½	266½ 266½	266½ 266½	266 266½	—
India Bonds.	{ 103p. 98p. }	99p. 97p.	98p. 76p.	86p. 80p.	81p. 47p.	56p. 52p.	62p. 52p.	47p. 41p.	18p. 12p.	20p. 10p.	14 7	3p. 86 dis.
S. S. Old Stock.	{ 105½ 105½ }	—	—	—	103½ 101½	—	—	100½ 100½	—	—	—	—
Do. Old Anns.	{ 94½ 93½ }	93½ 93½	93½	—	90½	—	—	—	—	—	—	81½
Do. New Anns.	{ 93½ 93½ }	—	—	—	—	—	—	89½ 89½	—	—	—	—
Exr B. 1¼d. p.d.	{ 64p. 52p. }	66p. 62p.	57p. 53p.	61p. 52p.	52p. 31p.	46p. 31p.	46p. 25p.	27p. 14p.	7p. 1p.	3p. 1dis.	4p. 2dis.	par 65dis.
Do. Small.	{ 65p. 58p. }	68p. 62p.	58p. 53p.	61p. 57p.	53p. 31p.	46p. 31p.	46p. 26p.	28p. 17p.	8p. 3p.	5p. 1dis.	5p. 1dis.	par 20dis.

BRITISH AND FOREIGN HISTORY

For the Year 1825.



BRITISH AND FOREIGN HISTORY

For the Year 1825.

CHAPTER I.



Parliamentary Proceedings in February.—Opening of Parliament.—King's Speech.—State of Ireland.—Address.—Catholic Association.—Usury Laws.—Ways and Means.—Supplies.—St. Catherine's Docks.—Justices of the Peace.—Ireland.—Dissenters' Marriages.—Apothecaries in England and Wales.—Spring Guns.—Export of Machinery.—The Budget.

HOUSE of Lords, Feb. 3.—

About half-past two o'clock, the house of lords met, and the Lord Chancellor and the other lords commissioners, viz. the Archbishop of Canterbury, the Earl of Westmoreland, the Earl of Harrowby, and the Earl of Shaftesbury, being robed, took their seats on the woolsack.

The commons were summoned in the usual form, to hear his Majesty's commission for opening the session of parliament read. A considerable number of the members of the house of commons, preceded by the speaker, soon after appeared at the bar, and the commission being read by the clerk at the table, the Lord Chancellor read his Majesty's speech, of which the following is a copy:—

"My lords and gentlemen,

"We are commanded by his Majesty to express to you the gratification which his Majesty derives

from the continuance and progressive increase of that public prosperity upon which his Majesty congratulated you at the opening of the last session of parliament.

"There never was a period in the history of this country, when all the great interests of the nation were at the same time in so thriving a condition, or when a feeling of content and satisfaction was more widely diffused through all classes of the British people.

"It is no small addition to the gratification of his Majesty, that Ireland is participating in the general prosperity. The outrages, for the suppression of which extraordinary powers were confided to his Majesty, have so far ceased, as to warrant the suspension of the exercise of those powers in most of the districts heretofore disturbed.

"Industry and commercial enterprise are extending themselves

in that part of the United Kingdom. It is, therefore, the more to be regretted, that associations should exist in Ireland, which have adopted proceedings irreconcilable with the spirit of the constitution, and calculated, by exciting alarm, and by exasperating animosities, to endanger the peace of society, and to retard the course of national improvement.

"His Majesty relies upon your wisdom to consider, without delay, the means of applying a remedy to this evil.

"His Majesty further recommends the renewal of the inquiries instituted last session into the state of Ireland.

"His Majesty has seen, with regret, the interruption of tranquillity in India, by the unprovoked aggression and extravagant pretensions of the Burmese government, which rendered hostile operations against that state unavoidable.

"It is, however, satisfactory to find, that none of the other native powers have manifested any unfriendly disposition, and that the bravery and conduct displayed by the forces already employed against the enemy, afford the most favourable prospect of a successful termination of the contest.

"Gentlemen of the house of commons,

"His Majesty has directed us to inform you, that the estimates of the year will be forthwith laid before you.

"The state of India, and circumstances connected with other parts of his Majesty's foreign possessions, will render some augmentation in his military establishments indispensable.

"His Majesty has, however, the

sincere gratification of believing, that notwithstanding the increase of expense arising out of this augmentation, such is the flourishing condition and progressive improvement of the revenue, that it will still be in your power, without affecting public credit, to give additional facilities to the national industry, and to make a further reduction in the burdens of his people.

"My lords and gentlemen,

"His Majesty commands us to inform you, that his Majesty continues to receive from his allies, and generally from all princes and states, assurances of their unabated desire to maintain and cultivate the relations of peace with his Majesty, and with each other; and that it is his Majesty's constant endeavour to preserve the general tranquillity.

"The negotiations which have been so long carried on through his Majesty's ambassador at Constantinople, between the Emperor of Russia and the Ottoman Porte, have been brought to an amicable issue.

"His Majesty has directed to be laid before you, copies of arrangements which have been entered into with the kingdoms of Denmark and Hanover, for improving the commercial intercourse between those states and the United Kingdom.

"A treaty, having for its object the more effectual suppression of the slave trade, has been concluded between his Majesty and the King of Sweden, a copy of which treaty (as soon as the ratifications thereof shall have been exchanged), his Majesty has directed to be laid before you.

"Some difficulties have arisen

with respect to the ratification of the treaty for the same object, which was negotiated last year between his Majesty and the United States of America.

"These difficulties, however, his Majesty trusts, will not finally impede the conclusion of so beneficial an arrangement.

"In conformity with the declarations which have been repeatedly made by his Majesty, his Majesty has taken measures for confirming by treaties the commercial relations already subsisting between this kingdom and those countries of America which appear to have established their separation from Spain.

"So soon as these treaties shall be completed, his Majesty will direct copies of them to be laid before you.

"His Majesty commands us not to conclude, without congratulating you upon the continued improvement in the state of the agricultural interest, the solid foundation of our national prosperity; nor without informing you, that evident advantage has been derived from the relief which you have recently given to commerce by the removal of inconvenient restrictions.

"His Majesty recommends to you to persevere (as circumstances may allow) in the removal of similar restrictions; and his Majesty directs us to assure you, that you may rely upon his Majesty's cordial co-operation in fostering and extending that commerce, which, whilst it is, under the blessing of Providence, a main source of strength and power to this country, contributes in no less a degree to the happiness and civilization of mankind."

The commons then withdrew.

On this occasion, the *Duke of Norfolk* attended for the first time in his official capacity of *Earl Marshal*. *Lord Strangford* took the oaths and his seat as *Baron Penshurst*. He was introduced by *Lords Prudhoe* and *Stowell*. The *Earl of Dalhousie* also took the oaths and his seat; as did *Dr. Blomfield, Bishop of Chester*.

Their lordships adjourned, and re-assembled at five o'clock.

According to the usual practice, the *Earl of Liverpool* moved, before their lordships proceeded to the consideration of his Majesty's speech, the first reading of a bill for regulating select vestries.

The speech was again read, first by the *Lord Chancellor*, and next by the clerk.

Lord Dudley and *Ward* then addressed the house. He rose to move an humble address in answer to the gracious speech which their lordships had just heard. He took a view of the state of the country previous to, and since the conclusion of peace. He dwelt upon the surprising improvement which had taken place in every branch of industry, and all the great interests of the nation, notwithstanding the embarrassments which commerce had experienced from restrictions in the long obstruction of the late war. Such a state of things, after so long a period of difficulty and anxiety, could not but be a subject of congratulation to their lordships. Indeed, no person who paid attention to public affairs could fail to be struck at the different circumstances under which the present session opened, from those that prevailed some years ago; more especially in those

those periods, when all the power of the continent was wielded by that extraordinary genius, that great statesman and warrior, whose object was to reduce this country to the state of a military province. The present progress of commerce and rise of public credit was not a partial glimpse of prosperity. Improvement was felt in every department of commerce. The powers of machinery gave an extraordinary impulse to our manufactures, and our shipping covered the ocean. There never was a time in which the arts of peace were more successfully pursued;—there never was a time in which the spirit of improvement was so active; and there never was a time in which the great body of the people showed more attachment to the government. It was not, then, surprising that neighbouring nations should envy us on account of our great prosperity and national glory. On this flourishing state of things he did not think it necessary to dwell. The documents which proved it were in every body's hands; and its proof existed in a diminishing taxation and an increasing revenue. Our finances had overcome the pressure under which they for some time laboured; and when he stated this, their lordships would have the additional satisfaction of recollecting that the present vast improvement, when public credit was higher than in 1792, was entirely owing to those sound commercial principles to which his Majesty had alluded in the conclusion of his speech. In all cases in which the principles just mentioned had been acted upon, the effects produced had been

highly beneficial. He should mention only one instance, which he was more disposed to notice, as it had its origin in that house—he meant the bill for removal of the strictures with which the manufacture of silk was embarrassed. Their lordships would recollect the opposition with which that measure was met, and the prejudices those who supported it had to encounter. Nevertheless, the result had been most advantageous, and the silk-trade was now growing rapidly up to that extensive and flourishing state which the cotton-trade had already reached in this country. This was an example of the benefits which were to be expected from the improvement of our commercial legislation. The success of our trade under impolitic laws was owing to the activity and enterprise of the people, and it had been truly said that the great commercial prosperity of England had not grown up in consequence of the restrictive system, but in spite of it. The noble lord next adverted to that part of his Majesty's speech which relates to Ireland, and expressed himself in favour of the catholic emancipation. He next adverted to the condition of the South-American states, and concluded by moving the address.

Lord Gort said, that in seconding the address, he felt that few observations would be expected from him, after the able manner in which it was introduced. He would therefore confine himself to the expression of his opinions on that part of the royal speech which referred to the state of Ireland. It gave him pain to observe some of the proceedings of the catholic body

body in that part of the empire. The noble marquis at the head of the Irish government had conducted his administration in a temperate, wise, and impartial manner, so as to gain the confidence, and merit the approbation, of every honest man. He could not, indeed, satisfy all parties, but he satisfied all those whose wishes deserved to be consulted. On the one hand, there were the violent agitators of the catholics, who wished to turn the discontent which they created to their own advantage; and on the other, were the no less violent opponents of their claims. Lord Wellesley, in conducting his government on reasonable principles, and in a temperate manner, had shewn that he consulted the interests of the country, while he carried into effect the prejudices of neither. He (Lord Gort) needed not to remind their lordships of past times, when the Irish administration was in different circumstances—when agitation was kept alive by acts of intemperate violence, and when scarcely a day passed without witnessing some outrage. The government of Lord Wellesley furnished a striking contrast to this order of things. By his judicious measures, the turbulent had been restrained, the deluded brought back to their duty, and the peace of the country restored and maintained. The constabulary force had been put in full action—confidence had been re-established—agriculture was improving—the value of land had been raised—and commercial and industrious establishments were forming. So much good had resulted from the wise measures of Lord Wellesley's govern-

ment, that he hoped soon to be able to congratulate their lordships on the growing prosperity of Ireland. But while this was the situation of affairs on the one hand, he could not, on the other, omit bringing under the notice of the house the conduct and the pretensions of the Catholic Association. That body had assumed the rights, and exercised the powers of a parliament. It imposed taxes, issued proclamations, and made laws for the catholic community. Its professed object was catholic emancipation, but its real tendency was to overthrow the constitution. He (Lord Gort) would not now stop to discuss the subject of catholic emancipation; but were he the most strenuous advocate of the most liberal concessions, he would still be the decided opponent of the association. In this catholic parliament the most declamatory speeches were uttered, and every topic of inflammation enforced. The catholics were taught to believe that they were the objects of government hostility—that they were universally oppressed, and that the protestants were their oppressors. So decided was this association in its opposition to the constituted authorities of the land, that some change must be made. The two parliaments—the catholic and legitimate—could not co-exist—either the catholic parliament or the legitimate must give way. Entertaining this view of the question, he entirely concurred in the suggestion from the throne that the association must be put down. By means of the catholic rent system, it had levied taxes on every parish in Ireland; and by means of its proclamations, and

and the co-operation of the priests, it had extended its authority, and exercised a striking influence, from one end of the island to the other. The priests, in executing the order of the catholic parliament, showed that they possessed an influence which they ought to have exerted in maintaining the public peace at other times. He (Lord Gort) would be sorry to be thought so void of constitutional principle, as to oppose any obstacles to the catholics in uniting to express their grievances, and to seek for redress; but if they were to come before their lordships, they must come as petitioners—they must come with prayers, and not with menaces—they must submit their demands to the discussion of parliament, and wait the result with patience. In short, they must present the olive-branch, and not show the sword.

When the noble seconder of the address had concluded, *Lord King* rose to address the house, and had proceeded with his first sentence, when—

The *Earl of Lauderdale* reminded the house, that the address was not yet known to their lordships—that it had neither been read by the noble mover or seconder, nor from the woolsack, nor by the clerk; and that the debate could not formally proceed till their lordships knew on what they were debating.

A conversation here ensued, in which *Lord Holland*, the *Earl of Lauderdale*, the *Earl of Liverpool*, and the *Lord Chancellor* took part. *Lord Liverpool* allowed that the forms of the house required the reading of the address, and took blame to himself for being the cause of the omission.

The *Lord Chancellor* said that he was not anxious to save his lungs, but it was his fault that it was not read. He would, however, repair the omission and read it.

The address was then read from the woolsack.

Lord King observed, that he agreed with the address of the noble lords, that the resources of the country had been relieved, and its industry stimulated and improved. He gave his cordial approbation to those measures by which this result had been produced. It was the more pleasing to him to state this approbation, as the commercial regulations and measures of foreign policy on which their lordships were congratulated had been pressed upon the government by himself and his friends. They had given an advice to ministers, which, though at first opposed and neglected, had at last prevailed. As ministers had thus come round to the opinions of opposition, he (*Lord King*) hoped it would not be the last time he should have to congratulate them on their docility. He hoped that they would take advice on a very important question—the corn laws—and that ere long they would introduce consistent measures for the trade in grain. As far as the speech from the throne was the speech of the chief magistrate of the country, he received it with all respect and honour. He admitted that the situation of England was prosperous and fortunate; but their lordships should not forget that such was not the situation of six millions of catholics on the other side of the Irish Channel, suffering under a misgovernment which was

was a disgrace to our age and country. The world, in general, was now too wise to allow governments to inflict penalties, or to withhold privileges, on account of differences of religious faith.

The *Marquis of Lansdown* said, that he would not have troubled their lordships with any observations, unless in order to express his dissent from one part of the address. With regard to most of the general topics which had been discussed that night, there could not be much diversity of opinion. The country could not fail to feel the justice of the sentiments expressed generally by his noble friend who moved the address, though they had not been enforced with so much eloquence—an eloquence which he (Lord Lansdown) always heard with pleasure, in whatever house it was uttered, or from whatever side it came. He (Lord Lansdown) gave his hearty concurrence to all that was said about the internal prosperity of the country, and the wisdom of its foreign policy in the recognition of the independent states of South America. His lordship then cautioned ministers against acting too hastily with respect to the Catholic Association.

The *Earl of Liverpool* thought that, at least, the first paragraph in the royal speech would be fully echoed by the house: he believed that no difference of opinion could exist with respect to the satisfactory condition of the country. He would not press the house with that subject, after all that had been said by the noble mover of the address upon it; but he would assume that at least there could be no question as to the fact. After all the difficulties

which England had contended with successfully during the progress of the war, she had found that difficulties scarcely less trying remained yet to be surmounted in a state of peace. The same question which circumstances had brought into discussion frequently before, was now agitated again, and with redoubled violence: vast numbers of persons concurred in thinking that the country could never again return to a metallic currency, and yet keep faith with the public creditor. The house could not but fully recollect these opinions, connected as they had been with the difficulties sustained by the country in its transition from a war of twenty years to a state of entire and absolute peace. Their lordships knew the clamour which had been raised—the publications which had issued from the press upon this subject. In the midst of present distress and difficulty, government had been called upon to reduce the burdens of the people—burdens which indeed had pressed heavily, but which, nevertheless, at that time, it had been impossible to take off. But if the houses of parliament had displayed firmness in the course of the great struggle which they had carried on against France, they had shown no less in what they had resolved on in meeting the pressure consequent upon that struggle's conclusion. Parliament had determined—and they had carried their determination into effect—they had determined to attain that, without which the prosperity of the country never could have rested upon a solid foundation—they had determined to have a sound metallic currency; and they had accomplished this

without

without violating a single previous engagement which they had entered into. The task had been a Herculean one; but we had accomplished it, and we were now enjoying our reward—we had founded a state of prosperity for England greater than any other country had enjoyed, nay greater than she herself, at any antecedent period, had ever stood in. This, then, being the internal state of the country, government might fairly proceed to the agreeable task of removing those restrictions, which, under less prosperous auspices, it would have been unsafe, perhaps, to meddle with. With respect to his own conduct, and the principles which he had advocated, however he might have held that, up to a certain time, those restrictions ought to be maintained, parliament was bound, he thought, always to act with caution; but the general principles of free trade he had always laid down as the great foundation of all national prosperity, and as those which ought to be adopted at the very earliest moment that the situation of England would permit. With respect to the recognition of South American independence, the noble marquis who had last spoken expressed his entire approbation of that measure. The question, in fact, had been, not whether South America should be open to the commerce of Great Britain, but whether she should be open to the intercourse of mankind at large. Important as he had always thought that question with respect to South America—important as he had considered it with reference to other political interests than those immediately

developed—still he should have felt himself unworthy of the situation which he filled in the government, if he had allowed that question, as far as his opinion was concerned, to be argued upon any narrow principle of commercial interests whatever. On a former occasion he had stated, when the South American business was to be discussed, that he did not think that England, or any other country, had a right to set itself up in judgment between the mother country and its colonies. We had no right to dispute the independence; but, on the other hand, we were not entitled to assert and maintain it. The noble mover of the address had adverted to the existence of two parties in another country, one of which was disposed to support, or bring back, all abuse, and the other to uphold the ultra doctrines of insurrection and resistance to authority; now it seemed to him (the Earl of Liverpool) that in this country it was a strange arrangement of political opinion, that the very same parties frequently, who could only hear of one nation's planning an invasion against another with expressions of indignation, would, where any colony rose against its parent state, express nothing but astonishment that its struggles for liberty should not be instantly assisted. What he (the noble lord) maintained was, that except as far as was necessary to her own safety, England had no right to interfere, or to set herself up in judgment between Spain and South America. The immediate questions were several, prior to a measure like decided recognition. Was there any dispute

pute still pending between the colonies and the parent state? Were there any measures in progress likely to bring about a reconciliation? Was there any considerable party in the colony in arms in favour of the mother country? In either of these last cases, he (the Earl of Liverpool) should say that no foreign power had any right to interfere; but if no such courses were any longer in operation, then the right accrued to interfere—not for the peculiar benefit of either party, but for the advantage of the world at large. We had acted with caution in the affair of South America; and our duty had been to do so. Spain was our ally, and had been so long; and our treaty of 1808 had been a treaty to maintain her entire. From time to time, in the commencement of the disputes, we had offered our mediation to the Spanish government; and it was now clear, that to Spain—not in her state of bondage, but in her independent action—great part of the colonies, if not the whole, might have been preserved if that mediation had been listened to. This, then, being the case, the duty of England was clearly to put to herself this question—Were there any of the colonies any longer in that state which he (Lord Liverpool) had declared rendered foreign interference improper? Were there any as to which a reconciliation with the mother country seemed probable, or any in which a strong party in favour of that country was still in arms?—avowing that, in all attempts at, or offers to the effect of, mediation, the principle should be to give a preference to the rights of the parent state. [The noble lord then

entered into a brief view of the circumstances under which Mexico, Colombia, and Buenos-Ayres had been striving for independence, in order to demonstrate that the steps now taken by England in their favour could not properly have been taken at an earlier period.] With respect to the affairs of India, and the increase contemplated in the military establishment of the country, the noble marquis who had last spoken had alluded to certain reports which were abroad: he (Lord Liverpool), however, begged that noble marquis to take nothing more for granted than was declared in the speech from the throne. It was not by any fault or neglect on the part of the executive government, that earlier information upon this subject had not been given to parliament; papers would shortly be produced, and for any farther explanation desired, every possible disposition existed to afford it. It remained now, therefore, only to trouble the house with a few words, and they should, at present, be but few, upon the state of Ireland. To enter fully into detail upon the questions connected with that country, would occupy more time than it was just now desirable to devote to it. He (the noble lord), in considering that matter, which was adverted to in the royal speech, and would come under the consideration of the house—in considering that matter, he could not treat it as wholly unconnected with the general catholic question, because there was no subject which interested or affected Ireland at all which some persons would not be disposed to mix up with that question, but he certainly should treat it as a matter by no means growing out of, or immediately connected

connected with it. For the measure which was to be proposed, there was nothing about it which should prevent its being discussed upon its own independent merits. There was nothing about it which touched the question of catholic claims—nothing which the advocate of those claims might not vote for as freely as he who stood most opposed to them. For the proceedings taken at this moment by the Catholic Association of Ireland, there could be no doubt that they amounted to an evasion of the provisions of the statute book. They were undertaken, and carried on in that spirit which said, determinately—“Whatever law you make, our business is to evade and to nullify it.” The proceedings of the Catholic Association at this moment were in decided hostility to the intent of the convention act—it was for parliament to declare if it would authorise the evasion of a statute so important. There might be those who would say generally that they disliked the effect of the restrictive laws operating upon Ireland, and that they would do nothing to strengthen or to extend them; but whenever those persons looked at the conduct of the party which called itself the Catholic Association—saw it actually levying a duty, unauthorised, upon the catholic population of Ireland, would they say that the existence of such a body was consistent with the constitution of this country, or that it was compatible with its peace? He protested that he himself, if he stood before the house as the advocate of catholic claims, the first act which he would vote for should be the putting down of that convention—the Catholic Asso-

ciation; because, if catholic claims were granted at all, they ought to be granted upon their own merits, and not to the demand of such a body as that association, acting in the way that that body was disposed to act. He renounced every desire, every idea, of interfering with the lawful rights of the catholics. He did not deny their right to assemble and to petition parliament; but that right was not now the question; the question was, whether that conduct should be tolerated which was decidedly inconsistent with the spirit of the laws. It was with reference to the authority of parliament, that he (Lord Liverpool) said this of government, and of the constitution. The speech from the throne said, that in the general prosperity—the increasing prosperity of the country, Ireland was taking a large share. This statement was entirely founded in fact; the effect of that fact was apparent in the cessation of those disturbances in many parts of that country, which some had attributed to political and religious animosities, but which he had always mainly attributed to distress. He believed what had been stated by the noble seconder of the address—that the wise measures of the Lord-Lieutenant of Ireland, and especially the constabulary act, had done great good; but he believed that the increasing prosperity of the country had done still more. If religious dissensions, and the political animosities arising out of them—if these tended to produce disturbance, what could be more mischievous than the measures of the Catholic Association? It seemed to him (the noble lord) that both the safety and the prosperity

prosperity of the country demanded that immediate measures should be taken against it. He should therefore sit down by giving notice, that on this day se'nnight, he should move for a renewal of the committee for inquiring into the state of Ireland.

After some observations from the *Earls of Donoughmore and Roden*, and *Lord Clifden*, the address was agreed to unanimously.

The *Lord Chancellor* said, that at the close of the last session of parliament, he had taken the liberty of stating that he would, in the course of the present session, move for leave to regulate a system which was now going on to a most mischievous extent—he meant joint stock companies not yet formed, and which never might be formed, and where, before their formation takes place, the shares of the persons adventuring therein were made the subjects of sale, to the enormous profit and advantage of those who set such companies afloat. It was his intention humbly to ask their lordships to consent to a bill to check that sort of proceeding.

The usual sessional orders were agreed to, after which the house adjourned at nine o'clock.

House of Commons, Feb. 3.—The *Speaker* came to the house about half-past two o'clock, and was accompanied by about thirty members. Soon after the usher of the black rod appeared, and summoned the house to the house of peers, to hear the commission for opening parliament read. In about half an hour he returned, and the house was then adjourned for a short time. At a little before four o'clock, the *Speaker* resumed the chair.

On the motion of *Mr. Canning*, the bill for preventing clandestine outlawries was brought in, and read a first and second time.

The *Speaker* having read the speech of the commissioners for opening the session,

Lord F. L. Leveson Gower rose to move an address of thanks for the gracious speech which the house had just heard. He began by observing, that there were periods in the career of every country, when the national prosperity was raised so high, or depressed so low, that only one general sensation respecting it pervaded every class of the community; when feelings not to be removed by argument possessed every bosom; and when even the uninitiated, as well as those who had the means of the highest information, held the same opinion as to the condition in which the country was placed. It was one of those periods in which he had now the honour of addressing the house; and placing himself as one of the uninitiated he had just mentioned, he viewed the situation of the country in that light, that he thought he could anticipate the general concurrence of the house in the sentiments contained in his Majesty's speech, with respect to its prosperity. A few ill-disposed persons might, perhaps, still walk the land, but they walked it despised or unnoticed; the spark might still exist, but the fuel was wanted on which that spark could fall. In turning his view from England to the condition of other portions of the United Kingdom, he saw, in their geographical difference, nothing to alter his opinion of the general prosperity. If he looked to Wales, to Scotland, and he was happy to

add, to Ireland, the prospect was still cheering. With respect to the latter country, that prospect was every day becoming better. The house had for some time been listening to descriptions of the evils which afflicted that country; but these had now, for the greater part, disappeared. British enterprise was entering Ireland. British capital was insinuating its salutary juices into the veins of that country, with a prospect held out of its producing the most salutary results; and there was now a hope, that the tide of affluence, which had been so long flowing upon Great Britain, would at last set towards Ireland. He had as yet avoided every topic upon which any difference of opinion could exist in the house; but there were subjects on which he did not feel himself at liberty to be silent: and however disagreeable to others it might be to touch on such matters, he could assure them it was not very pleasing to himself. If there were any gentlemen who thought that the evils which afflicted Ireland could be remedied by the proceedings of the Catholic Association, he could not hope to convince them to the contrary by any language that he could use; but as a friend to the question of catholic emancipation (which some persons now looked upon as the panacea for all Irish evils), he felt bound to say a word upon it. He had paid some attention to the proceedings of that body. He could not say that he felt a contempt for them, though he believed the extent of their power was greatly exaggerated; but looking at the nature of those proceedings, and feeling anxious

for the success of the general measure to which they referred, he had the most ardent desire for its annihilation. No man who looked at the conduct of the principal members of that body, would be disposed to envy them the station they had acquired in public opinion. Perhaps one might grudge the gentlemen the graceful diction and fertility of imagination by which they were distinguished; but the evils which they were likely to produce to the country would be ill compensated by speeches of flowing eloquence and rounded periods. The acerbity of public feeling, which must be generated by such orations from either party, was obvious; and that would be increased by either party continuing to act as an organised body. As a friend to Ireland, he did hope that the violence of the Catholic Association on the one side, and the ravings of Orange insanity on the other, would no longer be allowed to continue as obstacles to the tranquillity of that country. Their effects were already too much felt by many in Ireland. Some persons were disposed to seize every phantom which presented itself to their minds, and exaggerate it to the highest state of disorder; and though they admitted that some rents were paid, and that some gentlemen could lie down at night with the hope of rising in the morning without injury, they still would have it believed that Ireland was in the highest state of insubordination and disorder. He, however, was far from thinking that any such danger existed. He could state that any information received by his Majesty's ministers on the subject would not lead

lead to that conclusion. It was, however, said, that the army was increased, and that was, amongst other things, alleged as a proof of the disturbed state of Ireland. This conclusion was, however, as erroneous as the former. The mention of the intended increase of the military force of the country brought him to another part of his Majesty's speech. He had in the outset made himself the organ of congratulation to the house on the general tranquillity and prosperity of the country: but it was well understood, that even while the great trunk of the empire continued in a flourishing and healthy state, some branches at its extremity might be in a very different condition. In India, a considerable body of our regular troops had been called into active operation, by the invasion of a barbarous force, which it was found necessary to repress. This happened at a time when arrangements were made to change the station of several regiments, so that it was of importance that their places should be speedily supplied. In looking at this increase, however, it was consolatory to think that it would not add to the burdens of the country, as India would pay her own defenders. But, independently of the circumstances which had occurred in India, a view of our situation with respect to several parts of Europe would show that the addition to our military force was not uncalled for. A war was raging in the vicinity of the Mediterranean, which, without imitating other states by supporting large standing armies, would justify us in keeping up a greater force in our possessions on that sea than would be barely

sufficient to supply the garrison at Gibraltar, or to mount guard at Malta or Corfu. The necessity of keeping up a force at Canada might also be considered as a ground for this increase in our armed force. In the days of our national distress, his Majesty's ministers had felt the necessity of paring down the expenses of the country to the lowest scale by which the public service could be supported; but now that the country was in a condition to bear the additional expense, and that the situation of several parts of the empire required the increase in our military force, it could not be fairly opposed. He had, he thought, shown its necessity on local, but it might also be apparent on general grounds. That in the intended addition to the armed force of the kingdom, his Majesty did not anticipate any interruption of the amicable relations which subsisted between him and the other European powers, must be so plain, that he who ran might read; but still that increase was rendered necessary by the altered state of Europe at present, from what it was not very long ago. He must, indeed, be a bold politician who would attempt to predict the result of the present state of affairs; but as that could not be with any certainty foreseen, it would be imprudent to be altogether unprepared for some of its possible consequences. The house would learn with pleasure, that England had concluded her mediation between Russia and Turkey, and that successfully, and to the satisfaction of both parties. They would also hear, with gratification, of the steps which were in progress for the more effectual suppression of the slave-trade.

He

He lamented that any obstacle should have occurred to delay the final ratification of the treaty which had been lately entered into with America on this subject. Of these obstacles he did not complain, because they could not be remedied, and arose out of the nature of the American form of government. The papers containing the negotiations on this subject would be laid before the house, and they would see the nature of the obstacles which had arisen. It would appear that a treaty which had been ratified by his Majesty, had been sent back with alterations, and not in minor points, but one which was most important, as it referred to the recognition of the right of search—a point which had been suggested by America herself. This delay arose out of the form of the American government rendering it necessary that a treaty, ratified by one party, and exchanged, should be afterwards submitted to the ratification of another. His Majesty's ministers did, on this occasion, that which was highly honourable to themselves. They offered to cancel the former treaty, and to make a new one on the basis of that which had been returned, adopting all its alterations, except that one which referred to the right of search; and it was to be hoped that the negotiations pending on the question would arrive at a speedy and satisfactory conclusion. He now came to a part of the speech which he had no doubt would be received with unmixed gratification by the house. It was that in which his Majesty's intention to enter into commercial relations with those South American provinces which had esta-

blished their independence, was announced. It was unnecessary, in addressing the representatives of the first trading people in the world, to point out the advantages of such relations. Without them, in the present improved state of the South American States, the merchant who traded with them must become an adventurer, and commerce itself be turned into speculation. In coming to this decision, deep deliberation was necessary. No one could be surprised that government finally adopted a course of policy which arose out of the altered condition of the provinces, and had become necessary to the new situation in which we stood with respect to them; but, as he had already observed, the most serious consideration was required before that course was pursued. It would be unnecessary to state, that it never was the intention of Great Britain to interfere between the colonies and the mother country. At a time when a strong disposition existed in England to fit out armaments for the assistance of the Spanish colonies, a bill was introduced for the purpose of more fully declaring the neutrality of the British government, and for preventing, as much as possible, British subjects from engaging in it. That bill excited very great opposition, but was eventually carried; but at the time it was passed, all the events which have since happened in that country were foreseen, and the consequences calculated with mathematical accuracy; and it was anticipated, though it would not be right at that period for this country to take any part in the struggle, yet that the time would come when the

the relative situation of both parties would be altered, and a different policy pursued. The advantages to be derived to us from our intercourse with those states were great, and would continue to increase every day. Trade and commerce at home and abroad were flourishing to a very wide extent. The spirit of enterprise was daily increasing—what limits might be set to it, he would leave to the Halls and the Humboldts of the day. He could not say to what lengths it would be carried; but even if pressed to a greater extent, there was still a wide field open for commercial speculation. The ground for it was still unexhausted, and with all that had been done, enough was left untried to give life and energy to the enterprise of those yet unborn. The noble lord, after thanking the house for the patience with which they had attended to him, concluded by moving the address.

Mr. Alderman Thompson rose to second the address, which had been moved by his noble friend. He referred to the peaceful state of France, to the condition of the South American states, and to the generally improving state of the country, in proof whereof, he would advert to the increase of our revenue: the branch of excise, which afforded the best test of internal prosperity, alone had exceeded the amount of the preceding year, by upwards of 1,100,000*l.*; and the customs, after deducting the repeal of duties within the year, to the amount of 1,250,000*l.*, only fell short of that of the preceding year 166,485*l.* Consequently there was an increase in that department of our revenue nearly equal to that in the excise. These

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formed a just and unerring criterion of the increasing prosperity of our foreign and domestic trade; but indeed it was unnecessary to have reference to such proofs—whatever part of England you visited, there were presented to your view a happy, contented, and industrious population; whether they were employed in the manufactories of our great staples, or in the cultivation of the soil, the scene was equally gratifying. What a pleasing contrast did the present state of the country form to that of the year 1820, a period within the age of the present parliament. Within the short period of five years, he had heard gentlemen, whose opinions had justly been entitled to great weight and authority, declare that England was a declining country,—that in commerce, manufactures and navigation, she was incapable of entering into successful competition with any foreign rivals,—that the means by which she must sustain her public credit were rapidly diminishing. He begged leave to remind the house of the gloomy predictions with which it was assailed from certain of the manufacturing and shipping interests, at a period when the important improvements in our navigation laws, warehouse system, duties, &c. were under the consideration of parliament—predictions, which had no other foundation than in the hereditary attachment to ancient prejudices, unsuited to the present times, and unsound in principle. And might he not now ask triumphantly, how had these gloomy predictions been verified? If not, he would entreat their attention for a short time, whilst he detailed to the house the happy effect

effect which had resulted to the country, principally from the improved state of our commercial code. In the first place, the official value of the exports of British manufactured goods during the year 1824, ending in October last, being the latest periods at which the public accounts had been made up, as compared with the preceding year, 1823, exhibited an increase of no less than four millions and a half sterling, bringing the total value of exports in 1824 to 50,758,800*l.*, being by far the largest export ever made by this country. The transit trade had also, under the beneficial influence of the improving warehousing system, experienced a marked increase; the act only took effect in July 1823, and in 1824, as compared with a like period of twelve months preceding, in 1823, there was an increase in value of upwards of one million two hundred thousand pounds. The sound policy of diminishing duties on the raw material, acted upon by the right hon. the Chancellor of the Exchequer, had been most fully exemplified in the following articles; in consequence of that diminution, and the increased encouragement thereby given to the industry of the country, duties were paid upon nearly half a million of pounds weight of silk more than in 1823, and on sheep's wool, upwards of five millions of pounds weight since the last session of parliament. The consumption of colonial rum had also increased during the same period 165,700 gallons. With respect to our shipping interests, they were all in a state of rapid improvement. About 200 more merchant-vessels, yielding about 40,000 tons, had

been constructed, during the last twelve months, in England and Scotland alone, as compared with the preceding year. The value of shipping, according to their respective tonnage, had risen from twenty to forty per cent.: and ships employed in the timber trade, the owners of which it had been predicted would be ruined by the alteration of the timber duties, and reciprocity of duties' act, had risen full sixty per cent. in value; freights had increased twenty per cent., and there was plenty of employment. Of the increased trade of the country, the port of London had its full share during the last year, as compared with the preceding; 2,800 more vessels entered the port from foreign and home ports; and if but due encouragement were given to an extension of the wet-dock accommodation, so highly essential to the trade of the metropolis, and the places of deposit for landing, the rates and charges of the port would undergo material reduction; and thus, by inviting the foreign merchant to avail himself of our capital, and the facilities offered to trade under our improved commercial code, we should soon compete with our neighbouring continental rivals. The improved and improving state of the revenue of the country would, it was hoped, enable his Majesty's government to proceed progressively with a diminution of taxation. The right hon. the Chancellor of the Exchequer most decidedly enjoyed the full confidence of the country: "and I am satisfied," continued the hon. member, "he will not disappoint the just expectations the country may have formed. The prosperous state and improving condition of

our agricultural interests form a topic of pleasing reflection: I am anxious, however, to state my opinion, that such prosperity is not in any manner attributable to the existing corn laws, which, I believe, it is admitted by all parties ought to undergo alteration. I am an advocate for their repeal, and the substitution of a protecting duty equal to a fair equivalent of the poor rates, tithes, &c. paid by our farmers as compared with other countries. I repeat, sir, if the situation of the country in 1820 was correctly portrayed (the period to which I have first alluded), how pleasing is the present contrast. Our trade last year has increased to an extent unprecedented; and, happily, England no longer cherishes visionary notions of advantage from commercial monopoly. The men who guide our councils, the merchants who invigorate our national industry, concur in disclaiming the doctrines of prohibition and restrictions. I will venture, without flattery, to say of England what the people of Rome said of one of their emperors with a great deal of flattery—

“ Nil criturum alias, nil ortum tale fatentes.”

The *Speaker* then read the address from the chair, and having put the question upon it,

Mr. Brougham rose to address the house. He regretted to state, that he was under the necessity, not only of expressing his dissent from, but also of entering his solemn protest against, some, and those not the least important, parts of the speech which had just been read to them. He felt, however, great satisfaction in being able, before he stated them,

to take notice, which he should do as shortly and clearly as he could, of those parts of the address to which he could give his most cordial and willing assent. The hon. gentleman then referred to the principles of free trade, the recognition of the South American states, and the opposition to slavery, as points in which he agreed with the sentiments of the speech. With regard to the catholic emancipation, he believed from his Majesty's conduct with respect to Hanover, where he had removed every disqualification upon account of creed, that he was favourable to it, and that ministers only opposed it. He objected to putting down the Catholic Association, and thought they could not draw the line between this and such societies as the Bible Society. That minister was not worthy of the credit which would attach to the very meanest and least significant of those measures which had been introduced for the comparatively light purpose of benefiting commerce, who could hope, by the adoption of violent means in putting down the Catholic Association, to satisfy the demand which was made upon him for the adoption of a policy really liberal. That was the proper remedy, and no other would have the effect. The associations might be put down in eight-and-forty hours. It was their own fault that they were there. Let it once be seen that the government and the parliament were sincere in their design of yielding emancipation—let the conviction once take effect that justice would be secured by the enforcement of equal and effectual laws, and there would be an immediate end to associations.

associations. That they might be wise enough to yield in time to the reasonable petition of six millions of their oppressed subjects, was rather his earnest prayer and ardent wish than his belief. He knew for certain that many gentlemen, who could not attend on account of their various affairs, would, had they been present, have supported the protest which he had judged it advisable to make, by their votes. It was with a view to secure due weight and consideration for their votes and opinions, and to prevent the catholics from erroneously supposing that their cause was more feebly supported than agreed with the fact—it was by these circumstances only that he was prevented from taking the sense of the house upon the subject. He requested pardon of the house for detaining them so long. His conscience prompted him to call upon them to adopt this as the fittest time for conciliation and redress; while, as to the policy hitherto pursued, and for aught he knew yet to be continued, he was determined to relieve his own mind from the guilty responsibility of acquiescence.

Mr. Canning considered the speech of the hon. and learned gentleman opposite as directed rather against errors, supposed or imputed, which were not of so serious a nature as to tempt him to violate the unanimity which at present prevailed. It might be taken in the light of notices for discussion for the future, of the various topics upon which he touched. He had reviewed the principal topics of the speech, visiting some with no very gracious approbation, and treating

others with no very sparing reprobation. With respect to one subject—that of catholic emancipation—professing, as he had at all times, to support it, he must still reserve to himself the right of judging for himself as to the time the most proper for giving effect to that support; nor could he on any account consent to take his instructions from the hon. and learned gentleman. Upon that part of the speech which referred to Catholic Associations, he had no hesitation in expressing, that so far from the Catholic Association being identified with the interests of the catholic people, its institution, and the conduct of its members, more resembled the scheme of an enemy, who had devised this as the best invention for throwing back and thwarting the further progress of the question of emancipation in this country. If the worst enemy of the Roman-catholic religion had purposely sat down to devise means to exasperate opposition to that measure, he could not have hit upon means more certain—he could not have imagined a plan so successfully mischievous as the institution and conduct of the Catholic Association. To one argument of the hon. and learned gentleman, he would advert to as particularly deserving of an answer, being connected with a subject to which he and his colleagues had given their most serious consideration. They had asked themselves, if no steps were taken by the government for that purpose, might not the mischief die away of itself? That, for a time, was his sincere opinion. He appealed for proofs of it to his conduct in the last session of Parliament.

Had the hon. and learned gentleman forgotten how ministers were then goaded to bring forward some measure to stifle the restless spirit which was then said to prevail? Had he forgotten the answer then given, that they (the ministers) thought it better to wait until it should die away of itself; and at all events they declined calling upon the house for any extraordinary expedient until the effect of patience should be fairly tried? The mode of treating this subject taken by the hon. and learned member, was singular. To prove that the existence of the Catholic Association was admissible, he ought to have shown that they were a body perfectly harmless—a meeting of a few zealous individuals, who did not in any manner profess to represent the whole people of Ireland—who had no design of assuming the character of a government. But, on the contrary, the hon. and learned gentleman exaggerated even beyond their own most gross and exaggerated account. He told the house that the Catholic Associations were the government of the country. “You are indebted,” said he, “to the Catholic Associations for the peace and tranquillity of Ireland.” He remembered correctly the extent of his own prophecies with respect to the fate of Ireland. He forgot entirely, or else he overlooked, the administration of the last three years. He left out of view the eminent merits and services of the Marquis Wellesley in retrieving by the firm and equal justice of his government the respect and authority due to the laws. The steps taken by that great man to secure the enjoyment equally for

catholics and protestants of the sunshine of government and the favours of the crown, were nothing. It was to nothing of all this that the comparative tranquillity of Ireland was attributable. No; her repose was the work of the Catholic Association! Most earnestly was it to be wished that the current of that wise and benevolent administration had been suffered to pursue its course unimpeded, and to have flowed through the land unmixed with any of these waters of bitterness.

“*Doris amara suam non intermiscet undam.*”

Whatever disappointment awaited the greater measure of emancipation, must be ascribed to that body. It was well for the catholics that they had no more consideration in the public mind. He as much confided in the eventual carrying of that measure, as he was convinced of the certainty that it would be opposed, if now brought forward, by this whole country as by one man. It seemed that the Catholic Association was the cause of the peace which prevailed. By what charm had they brought about this object. From whence did they obtain their magical elements of concord? From the pit of Acheron! Their combination was cemented by an adjuration of horror and loathing—“Be peaceable by the hatred which you bear the Orangemen!” This was the charm by which they worked, and these the means by which they proposed to extract peace out of hatred. Good God! was it for reasoning men deliberately to put such a bond of union into writing, and when called upon to explain themselves, deliberately to affirm the deed?

deed? To inculcate peace among themselves, through their steadfast hatred of their fellow-subjects? Could this be catholicism? He trusted that it was not—sure he was that it was not christianity. He protested against any measure which might be brought down to keep the proceedings of that body within the proper limits of the laws and the constitution, from being treated as a measure directed against the catholic people of Ireland, or as any device to throw impediments in the way of discussing that question. Did the hon. and learned gentleman know—did the Catholic Association know—so little of the English people, as to suppose that menace and intimidation could avail them? Could they really suppose that these would be as arms in the hands of their advocates? Did they not feel that every sentence of that nature must operate as an injunction to their advocates to hold their peace, till the impression of that violence could be effaced from the minds of the English people? Let no one consider him, therefore, as opposing the cause of the catholic claims. He did them good in every thing which he did, to rid them of that incubus which rode them. He made their cause look better by removing all that was unightly and unbecoming, and advanced it in the estimation of every man who hated to be bullied; he acted according to the feelings of all mankind who possessed a sense of honour and independence. He wished to separate the Catholic Association and the catholic question,—the hon. and learned gentleman wished to confound them. There were parts of the speech of the hon. and

learned gentleman, which, from being addressed to himself so personally, placed him in a difficult situation, inasmuch as he must either pass by that which obviously meant to apply to him, from affected indifference, or he must detain the house with explanations which referred chiefly to his own conduct. The hon. and learned gentleman had, almost in so many words, asked him—"Why do not you, who have felt your power in carrying a particular question against the views of an opposing minister, adhere to the same means" (probably alluding to a supposed alternative of resigning office), "and insist upon carrying that (the catholic) question?" He objected to both premises and conclusion. Suppose the premises true, did the hon. and learned gentleman see no difference between the South American and the catholic question? "What had a minister to fear," asked the hon. and learned gentleman, "with this house, these benches, the country, all England at his back?" To which he would propose another question, "What would a minister do with only these benches, and with no England at his back?" His answer to the proposal of the hon. and learned gentleman was, that he must reserve to himself the right of judging how, when, and at what period, and in what manner to give up either his office or his life in support of that or any other cause; he would not consent to have the opportunity chosen for him, especially by one who might happen to have some collateral interests in giving his advice. One assumption of the hon. and learned gentleman's he must positively deny. He assumed

the notion of a cabinet divided into two parties, and that a certain member of it who was opposed to him upon the catholic question, was also opposed to him on that of South America: he was entirely mistaken. He (Mr. Canning) assured him (Mr. Brougham) that the line which was frequently drawn between the supposed liberals and illiberals of the cabinet council, was by no means a straight, but a serpentine line. As it regarded the catholic question, it was nearly straight and direct; but wherever habit did not arbitrarily prevail, or personal honour was not pledged, the members brought their minds to the discussion totally disengaged. The project of breaking it up, and forming a completely new one from the different branches of that house, would be found not quite so easy in practice. No doubt a competent ministry might be selected from the benches opposite; but if the hon. and learned gentleman could have the satisfaction of ousting him, he would not, in all probability, have the satisfaction of succeeding him. All he desired, either of him or the house, was, to consider rightly the terms which were objected to in the address. The King stated in the speech, that associations existed in Ireland which had adopted proceedings not reconcilable with the laws and the constitution. As those proceedings tended to public mischief, it was recommended to parliament to consider of an adequate remedy. The house of commons replied by promising that it would do so. What less could the house of commons do, unless they took the description given by the hon. and learned gentleman of the Catholic Association, as a body

possessing the whole authority in Ireland, enjoying undivided allegiance, exercising all the powers of government, issuing the only commands which were effectually obeyed, and levying revenues? Unless they were prepared to say that a power thus formidable ought to exist—that it had a right to sit beside the government, or to tower above it, they could not refuse their assurance to the crown, that they would take an early opportunity of considering the means of putting down so enormous an evil. Nothing less, could be proposed in reply to the speech, unless they were prepared to say that the Catholic Association ought to exist in this unlimited authority and plenitude of power. The hon. and learned gentleman seemed to treat lightly all those measures which the prevalence of a liberal policy had adopted for the advantage of the silk and other trades, and the steps taken towards the recognition of the new states. The hon. and learned gentleman was not an unfrequent speaker in that house, and when he did favour them, he was not generally remarkable for being concise; and having, in common parlance, in the course of his parliamentary life, proposed and supported almost every species and degree of innovation which could be practised towards settled government, it was not very easy for ministers to do any thing in the affair of South America, without borrowing, or seeming to borrow, something from the honourable and learned gentleman. Their views might be shut up—by circumstances which they must consult, though he need not—like as among ice in a northern winter. In time the thawing proceeds, so that they

were able to come out. But break away in what direction they would, whether they took to the left or right, it was all alike. "Oho!" said the hon. and learned gentleman, "I was there before you—you could not have thought of that, now, if I had not given you a hint." In the reign of Queen Anne, there was a sage and grave critic of the name of Dennis, who got it into his head that he wrote all the good plays that were acted at that time. At last a tragedy came forth with a most imposing storm of hail and thunder. At the first peal, "That's my thunder," said Dennis. So, with the hon. gentleman, there was no noise or stir for the good of mankind in any part of the globe, but he instantly claimed it for his thunder. One thing he had, however, kindly thrown overboard, which was to be divided between government and his hon. and learned friend, the member for Knaresborough, and that was, the subject of South America. He wished to hear from the member for Knaresborough to what degree he claimed South America for his thunder. The hon. and learned gentleman was very cautious in his praise. Much had been done to which he could not object; but then, for fear that they should feel too proud, he suggested that things might have been better, especially as to time. Now if he piqued himself upon any thing in the South American negotiations, it was upon the subject of time. As to the propriety of admitting states which had successfully shaken off their dependence on the mother country, to the rights of nations, there could be no dispute. There were two ways of proceeding where the case

was more questionable—recklessly and with a hurried course to the object, which might be soon reached and almost as soon lost—or by another course, so strictly guarded, that no principle was violated, and no strict offence given to other powers. The three states with which the British government had to deal, were, Buenos Ayres, Colombia, and Mexico. He flattered himself that he could satisfy the house, that no earlier could either of them have been recognized. As to Buenos Ayres, it was undoubtedly true that the Spanish forces were sent away many years since. Long ago the contest with the mother country had ceased. But his hon. and learned friend knew well that Buenos Ayres comprised 13 or 14 small and separate states, which were not till very lately collected into any federal union. Would it not have been an absurdity to have treated with a power which was incapable of answering for the conduct of the communities of which it was composed? So soon as it was known that a consolidation had taken place, the treaty with Buenos Ayres was signed. Next as to Colombia. As late as 1822, the last of the Spanish forces were sent away from Porto Cabello, which was, up till that time, held for the King of Spain. It was only since that time that Colombia would have been admitted as a state of separate existence. Some time after that, however, Colombia chose to risk her whole force and a great part of her treasure in a distant war with Spain in Peru. Had that enterprise proved disastrous, the expedition would have returned with the royal troops to re-establish the royal authority.

The danger was now at an end. The case of Mexico was still more striking. Not nine months ago, an adventurer who had wielded the sceptre of Mexico left these shores to return thither and resume his abdicated throne. The time for government to act would soon arrive, and in the event anticipated there would be no hesitation in signing that treaty. In neither of these cases could the time of the negotiation have been anticipated even by a few weeks. Now, with respect to the mode in which this great object was effected, he was bound to say, whatever fault had been found with it, that it was the best and wisest that could have been adopted. His noble friend, who had opened this debate so creditably to himself, and who, he would add, had shown, in his subsequent observations, short as they were, powers to vindicate himself, which proved that he was perfectly able to take a conspicuous part in the deliberations of that assembly, had already touched upon this topic in a very satisfactory manner. Still, however, he felt it necessary to say something on the subject. The hon. and learned gentleman had said, that there was something mean and paltry in negotiating a treaty, as the prelude to recognition. He wished the business to have been concluded in a more summary way. He approved of the act itself in the abstract, but he objected to the mode in which it was effected. Now, to go back to a period of British history, which was perfectly well known to all, he would ask, what was the conduct of France with respect to the United States of America? The fact was,

that the ambassadors of the United States were not admitted to the court of France until the signature of a treaty. Such was the mode of recognition in that case; and the treaty was quoted to this country as a confession of that act. But this was not all. France not only acknowledged the independence of the United States before it was recognized by the mother country, but she entered into a treaty of alliance, offensive and defensive, with those states; and thus she became the enemy of England, with whom she had previously maintained relations of amity. He wished that those who opposed the course adopted by his Majesty's ministers would speak out; he wished they would state explicitly why they objected to the mode in which the recognition was effected. Did they intend to argue that this measure was imperfect, because it was not accompanied by war? Did they dislike it, because it was not accompanied by military preparation? The task which he (Mr. Canning) had to perform was, to arrive at this object—an object in unison with the wishes of the country—without giving just cause of war to France, or any other power. There might be something mean and huxtering in this mode of proceeding, at least so the hon. and learned gentleman seemed to suppose; but if he thought that war was not to be had, with some little dexterity, he was exceedingly mistaken. War (continued Mr. Canning, with very emphatic gesticulation) lay here and here; it was on the right and on the left of our path; our course lay in the middle: we took that course, and arrived

at the object of our solicitude honourably and peaceably. Was this mode of proceeding unsatisfactory, because there did not exist in the archives of his office a single document relative to this question which Spain had not seen, and of which the powers in alliance with this country had not been supplied with copies? Was this transaction deemed unsatisfactory, because Spain was told, that if she would take the precedence, in recognizing the independence of the colonies, this country would be content to follow her steps, and to allow to her a superiority in the markets of those colonies? Was the arrangement unsatisfactory, because, proceeding alone, England disdained to take any unfair advantages of a friendly state? Was it unsatisfactory, because we saw, that whoever might follow us in recognizing the independence of those states, would be placed by our side, and would enjoy equal advantages with ourselves? The hon. and learned gentleman admitted that he approved of the measure, but he stated that he disapproved both of the mode and the time. Now, he would say to the hon. and learned gentleman, in return, that the credit of the measure might be his, or it might be that of his hon. and learned friend (Sir J. Macintosh); but he (Mr. Canning) would claim for himself the merit of that to which the hon. and learned gentleman affixed blame—the merit of selecting the time, and of devising the mode, in which this object was to be effected. And he trusted, that by this plain conduct, by this temperate, this tardy policy, if they pleased so

to call it, the country had got rid of all the dangers which otherwise would have accompanied the recognition. Did they not know, could he attempt to conceal, that, by this step, England had offended many interests? Had she not called forth many regrets? Had she not excited much anger? Had she not raised up considerable ill-feeling? Had she not created passions of no favourable nature? This was the fact. Still, however, he entertained the most sanguine hopes that those evil feelings and angry passions would exhale themselves, and subside in mere words; and that the peace of the world would continue to be preserved. Notwithstanding the unsparing blame which the hon. and learned gentleman had cast on the work which had been just completed, he (Mr. Canning) thought that ministers had done their duty, on this point at least; and he was ready to abide the judgment of the house and the country. He did not think there was, in the speech of the hon. and learned gentleman, any other topic that called for particular notice. The hon. and learned gentleman had satisfied himself, by entering his protest with respect to the only measure that was likely to grow out of this address. He was ready, when the proper time arrived, to meet the hon. and learned gentleman on that subject, feeling perfectly confident that he should be able to show that the interposition of the legislature was absolutely necessary. There were one or two points which he was not exactly called on to notice, but on which it would, perhaps, be proper that he should say a few words. He alluded

alluded more particularly to the treaty with the United States of America relative to the slave-trade. The house would recollect that, at the beginning of the last session of parliament, a proposal was received from the United States of America, to carry into effect a measure for putting an end to the slave-trade, by giving to each power the right of mutual search. The treaty was drawn up by the ministers of the United States; and in the course of the negociation, some alterations in the treaty were made here. By the constitution of the United States, the right of ratification was placed, not in the executive power, but in the executive power and the senate also. This country, therefore, had no right to complain, when a treaty, regularly negociated and signed by his Majesty, was refused by the American authorities, unless alterations were made in it by the United States. But the singularity of the case was this—that the alteration proposed by the United States had no reference to the alteration introduced by the British Cabinet, but was an alteration of their own original draught of the treaty. It was an alteration, too, which withdrew the principle of reciprocity—of the right of mutual search, on which the treaty had been founded. By the original treaty, the Americans were to be permitted to search our ships in the West Indies, and we in return were to be allowed the right of searching their ships off the coast of America. They withdrew from the treaty the clause which empowered us to search their ships off the coast of America, but

they retained that which gave them liberty to visit our vessels in the West Indies. The mutual right of search was thus destroyed, and it was impossible for this government, either as a question of policy or as matter of justice to the West-India proprietors, to allow such an alteration; for it would be a tacit admission that our slave laws were evaded by the colonies, but that the American slave laws were not so evaded. This government, therefore, could not sanction an instrument which said, on the face of it, that we on our part committed a crime which the Americans refused to perpetrate. Under these circumstances, the course government took was this—the Americans made an alteration; we could not admit it; and we therefore proposed to cancel that treaty, and to send a minister for the purpose of forming a new one, which should be drawn up *verbatim* as the treaty originally stood before the objectionable alteration was made in it. This was the situation in which the matter was now placed, and he did not think that a refusal to accede to so reasonable a proposition could stand the test of public discussion in America. The first step this government took in the business was to consider as piracy the trading in slaves. We thus placed ourselves on a level with the Americans; and he thought the Americans themselves must feel that they had no choice left but that of adopting the expedient which the British government had pointed out. The whole discussion had been carried on in a spirit of the most perfect amity; and he believed the personal feelings of the executive govern-

government of the United States were in favour of this arrangement. There was no other topic, he apprehended, which it was necessary for him to introduce; and as he had addressed them at such length, he would not trouble the house any farther.

The *Speaker* then put the question, which was carried unanimously, and a committee was appointed to prepare the address of his Majesty.

The house, at a quarter before nine, adjourned.

House of Commons, Feb. 4.—Lord F. W. Leveson Gower appeared at the bar with the report of the committee appointed to draw up the address to his Majesty.

On the question that it be brought up, Mr. Hobhouse said he could not allow this opportunity to pass without offering a few words on the subject of the address. In the speech it was prominently put forth, that his Majesty congratulated parliament on the prosperity of the country, and also on the tone of amity which prevailed in our relations with foreign powers. But after these consolatory remarks, what did the speech recommend parliament to do? Why, notwithstanding our general prosperity and tranquillity, and that, too, even in Ireland, it recommended a change of the criminal code, not merely of Ireland, but also of England; and, notwithstanding the peaceable aspect of foreign affairs, it also recommended an increase of our standing army—as if it was meant that Ireland would in a short time break out into open rebellion, and that the Holy Allies were disposed to march their

armies into France, and from thence proceed to annoy our shores. It was impossible to allow such topics to be introduced and embodied in the address, without calling the attention of the house to them, and protesting against them in the most solemn manner.

The hon. gentleman next spoke in favour of the Catholic Association, which, he said, was the faithful representative of the catholic population of Ireland; he next referred to the state of India, Greece, America, and to the augmentation of the standing army. Without desiring to pry into any secrets which the cabinet might think it necessary to conceal, might he be permitted to ask whether the augmentation had any reference to the new line of policy, if, indeed, it were new, which had been adopted with regard to the Holy Alliance? We had now a standing army of 73,000 regular troops—a number of men, which, twenty years ago, nobody would have contemplated as possible to be kept up in time of peace. The country had, therefore, a right to information upon two points on which it was now purposely kept in the dark. The first was—how much was the army to be augmented—by 5,000, by 10,000, by 15,000, or, as he heard it stated, by 20,000 men? And the next—let the augmentation be what it might—for what purpose was it made? Was it, he would ask, on account of the continued occupation of Spain by the French troops? Whilst he was upon that subject, he must be permitted to express his astonishment at finding that there was no allusion made, either in his Majesty's speech,

speech, or in the address which had been voted in reply to it, to the continued occupation of the territory of one power that was friendly to us, by the troops of another power that was also friendly to us — an occupation, too, that had arisen out of an act of aggression, which the right hon. gentleman had himself declared to be one of the most unjustifiable that could be found in the history of nations. They had not even been told that Spain was not to continue till the end of time a mere district and province of France. Had not the people of England a right to know whether so great and crying an injustice was to be consummated and perpetuated for ever? We had suffered one of our allies to annihilate the independence of Italy; but there had been no call for arming them: on the contrary, it was contended in that house, that every thing which Austria had done, had been done with a justifiable view of consolidating her own power, and preserving her own dominions from danger. We had suffered another of our allies to subjugate the independence of Spain; but there had been no call for arming them, or at least only from that side of the house whose calls were not often attended to by the majority of it. But now, because the Burman empire, of whose very existence few men knew any thing, chose to attack the East India Company, and because there were other circumstances connected with our foreign possessions, which were not specifically mentioned, and of which nobody knew any thing, our army was to be augmented, and no inconsiderable additions were

to be made to it. He contended that the house would be guilty of an act of flagrant injustice to the people of England, and of a gross neglect of its own duty, if it permitted the address to be brought up, without demanding from ministers a further explanation than any which they had hitherto thought proper to give. There was another topic on which he had heard no observations made, and to which he wished to call public attention. This augmentation was not to cost the country much, because the East India Company was to pay most of the troops of which it consisted. He cared not who paid them; he had rather, however, that the people of England did not: his objection went deeper, and was to the army itself. It must, however, at any rate, cost something; and he thought that the right hon. gentleman, (the Chancellor of the Exchequer,) when he came to explain his budget, should tell them how far his intention of making further reductions in the weight of taxation had been paralyzed by this scheme to augment the army. He hoped that some of the reductions which the right hon. gentleman intended to make would apply to the direct taxation of the country. Much as the people were inclined to applaud the liberality of his policy towards them, still they laboured under a conviction that a reduction of direct taxation was imperiously called for. He had thrown out these observations, not with any intention of dividing the house, but that he might not be supposed to concur in many of the topics which the speech contained. He joined, however, in the congratulations which it contained upon the improvement of the

the agriculture and commerce of the country; and, he might also add, upon the improvement of ministers. He cared little who was to have the credit of the changes which had taken place—he minded not whose was the thunder: if it spared the subject, and beat down those who were proud, he was glad that it had descended, and was perfectly regardless as to the quarter from which it had come.

The Chancellor of the Exchequer should postpone his explanation to a future day; at present he would merely observe, that though the augmentation of the army seemed to him absolutely necessary, he should be able to accompany it with a reduction of taxation, which he trusted would appear to be founded on sound principles, and to be generally acceptable to the country. The whole burden of the speech which the hon. member for Westminster had just made was contained in these words—"What are the grounds on which you, the ministers, call upon the house to sanction this increase of the army?" The hon. member, in putting that question, had alluded to what had fallen from the noble mover of the address, namely, that there was nothing in the state of Ireland to require an increase of our military establishment. His Majesty's government did not pretend to say that there was any thing in Ireland which required the presence of an additional soldier. The same was also the case in England. Indeed, his Majesty's speech distinctly stated; that the augmentation of the army had reference, not to the internal, but to the external circumstances of

the country. The hon. member had also treated the Burmese war as a matter of great indifference: and that was not surprising, considering that most people treated with indifference a distant danger. The hon. member had also said, that he knew nothing of the Burman empire, except its geographical situation; but for all that, it might be a very formidable power, and calculated to inflict no small detriment upon our possessions in India. Any man who considered the peculiar nature of our empire in India, and how it had arisen, almost in spite of its rulers, into its present extent and magnitude, would see that whatever tended to disturb the tranquillity of any part of it, might produce, and indeed was calculated to produce, effects much more important than any which would enter into the imagination of a mere casual observer, or of one who only knew the Burman empire by mere hearsay. It would be time enough for him to enter into some explanation of the nature of the Burmese power, when the matter was regularly brought before the house; and he had no doubt that whenever it was so brought before it, he should be able to convince it that this increase of the army was dictated by sound policy, and was not liable to the objections which the hon. member for Westminster had urged against it; for it was not an increase made in time of profound peace, but an increase made in time of active war. With regard to the words, "our other foreign possessions," he referred him to the time of the debate for information of the details regarding them, which his right hon. friend would

would at that time willingly afford. He could not conceive how the hon. member, who generally looked abroad with a philosophic eye, could look at our foreign possessions without seeing how widely different their present state was from their state twenty years ago. The establishment which defended them twenty years ago was utterly inadequate to their present defence, so great had been the change in their relative situations to each other, and also in every thing which surrounded them. In England, in case of any sudden danger, the ministers could call upon the people to support the government with its resources; and if the call was just, it was certain to be successful: but in our foreign possessions, which were widely scattered over the face of the earth and of the water, those resources could not be immediately called into action, and it would be therefore unwise to leave them exposed to all the dangers of sudden invasion. These were the general grounds, without entering further into their details, on which he thought that it would be successfully argued that there were just causes for increasing the army. He expected, however, that the hon. gentleman, if he took his information of the extent of that increase from the sources which were open to the public, would be greatly disappointed, when he learned what that increase was really to be.

Colonel Palmer touched upon the same topics as *Mr. Hobhouse*.

Sir J. Newport particularly defended the Catholic Association.

Mr. Peel said, in the course of this evening, his right hon. friend near him (*Mr. Goulburn*) would

give notice of a motion on the subject of the associations in Ireland, and it was the intention of his Majesty's government to submit such a measure upon its own responsibility. This determination was not shaken by what he had heard from hon. members opposite, and he still felt it his duty to press a measure upon the consideration of parliament. That these associations in Ireland ought to be put down, he thought could not reasonably be denied; indeed, he thought that the warmest advocates for the liberty of the subject ought to call for their extinction. He spoke not of the opinions of those who thought such a body as the Catholic Association trenched on the supremacy of the crown, or on the privileges of the executive government; but of the opinion of every man, who valued the proper privileges of the people, who respected the due administration of justice, who wished to maintain the principles of rational liberty, and who must think that no government could endure the establishment of such a deliberative body next the authorities of the state. An association like this to be permitted to levy taxes on the people, was that consistent with either sense or reason? Then their interference with the administration of justice, could that be sanctioned? For these brief reasons, and for others which would be stated at another and a fitter opportunity, he thought it would not be difficult to shew every man who advocated the popular principles of the constitution, that bodies arrogating to themselves such a power as these associations, ought not to be permitted to exist. In his opinion, they

they trenched upon the existing law—the Convention Act: the letter of the law was evaded, but its fair spirit was infringed. He would not accept the proffered assistance to his view of the catholic question which some hon. members were so ready to give him, when they declared that the Catholic Association was the representative of the opinions of the catholic body at large; for he could not easily bring himself to believe that the latter were prepared to identify themselves with the former in such addresses as conjured them to combine by “their hatred of the Orangemen.” He could not believe that a christian sect, and christian pastors, could adopt a bond of hatred so entirely at variance with the pious spirit which they professed. He repeated, that he could not bring himself to believe that any large portion of the people would tolerate such a sentiment as was expressed in the address which had emanated from the Catholic Association. If, however, the catholics generally participated in such feelings and opinions, then, indeed, how additionally strong became the reason for excluding from political power persons capable of holding such tenets. No, he could not believe that the catholic community would adopt such principles, for he had always hitherto heard their best advocates entreat that the errors of the few should not be visited upon the heads of the many. He should refrain from any further remark at present, except to repeat, that in calling upon parliament to put down this association, he was confident he was contributing to promote the tranquillity of Ireland,

and to remove one cause, at least, of excitement and exasperation. And he had no doubt, that when the catholics were informed by a legislative enactment, that they had been misled, they would readily obey the provisions of the law, without it being necessary to enforce them by any military coercion.

Mr. C. H. Hutchinson and *Lord Nugent* next spoke in favour of, and *Sir T. Lethbridge* against, the Catholic Association.

Several other members then followed, some in favour of, and others opposed to the association.

The address was then read a second time, and ordered to be presented on Monday next, by such members as are of his Majesty's privy council.

Mr. Goulburn gave notice, that he should on Thursday next move for leave to bring in a bill to amend the existing laws relating to illegal associations.

The house then adjourned at a quarter past nine o'clock to Monday.

House of Lords, Feb. 7.—The *Earl of Liverpool* brought down his Majesty's answer to the address of the house voted on Thursday last, which was ordered to be entered on the journals.—Adjourned.

House of Commons, Feb. 7.—On the motion of the *Chancellor of the Exchequer*, the order of the day for the consideration of the Lord Commissioners' speech was read.

The Clerk of the House then read the following sentence from the Lord Commissioners' speech: “Gentlemen of the House of Commons,—His Majesty has directed us to inform you that the estimates of

of the year will be forthwith laid before you."

The *Chancellor of the Exchequer* then moved, that the house do resolve itself into a committee of supply *pro forma* to-morrow, to consider further of his Majesty's speech.—Ordered.

The *Chancellor of the Exchequer* read at the bar his Majesty's most gracious answer to the address.—It was ordered to be printed.

Mr. Hume moved, that there be laid on the table an account of the quantity of British spirits which had paid duty from the 5th of July, 1790, to the 5th of January, 1826, showing the number of gallons which had paid duty in Scotland, the rate of duty per gallon, the amount of revenue arising from it, and also the number of gallons exported in each year. The object of this motion was to show, that the different rate of duty which existed in England, Scotland, and Ireland, opened a wide door to smuggling between the three countries. It would likewise prove, he believed, that in proportion as the duty had been reduced, the consumption of the article on which it was placed had increased. In Ireland the amount of revenue arising from the duty of 2s. per gallon was greater than that which arose from the duty of 5s. per gallon. If such were the case, was it not high time to put a stop to a system of duties which inevitably led to smuggling in the first instance, and to riot and murder in the second? Scarcely a day elapsed without their reading of some fray between the smugglers and the revenue officers, which terminated in the death of some

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of the contending parties. There was nothing but a mere imaginary line to divide England from Scotland; and yet, at one side of this line the duty was two shillings, and at the other 10s. 6d. per gallon. This was a temptation too great to be resisted. He suggested to the *Chancellor of the Exchequer*, that the present was a fit time to appoint a committee to inquire into the operation of heavy duties upon all articles of general consumption. He thought that if such inquiry were made, which would come most graciously from his Majesty's ministers, it would be found that all such duties might be reduced without injuring the revenue of the country.

Mr. Curwen pressed upon the attention of the *Chancellor of the Exchequer* the dreadful state in which the northern counties were in consequence of the difference in the duty on British spirits in England and Scotland. Conviction might follow conviction for smuggling them into England; but they were of little use, except in filling our gaols with prisoners, who were afterwards turned out upon the country as hardened offenders.

The motion was then agreed to.

Mr. Hume gave notice, that he would to-morrow move for the number of free subjects who had been banished, without trial, from India, since the year 1813. On the 3d of March he should move for a select committee on the church of Scotland; and on the 4th of March he should move to withdraw from Ireland the Viceroy and all his establishment, with a view of giving to that country the full benefit of the act of union.

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union. The house then adjourned.

House of Lords, Feb. 8.—The *Marquis of Lansdown* remarked upon the proposed abolition of the Catholic Association. He contended that there was nothing illegal upon the face of it, and that it ought not to be put down; that to make opinions dangerous, they should be confined, like the powerful agent of steam, but if permitted to evaporate they are harmless. He concluded by moving, "that an humble address be presented to his Majesty, praying that he would be graciously pleased to direct that there be laid before their lordships copies of all despatches from the lord-lieutenant of Ireland relative to the religious and political associations of Ireland, and their consequences."

He was supported by *Lords Holland and Carnarvon*, and opposed by *Earls Liverpool, Grosvenor, and Bathurst*; after which the house divided:—Content 20; Not content 42.

House of Commons, Feb. 8.—*Serjeant Onslow* rose to bring in a bill to repeal the usury laws. The motion was lost by 52 against 45.

Dr. Lushington moved for a copy of the committal of William Quigley, — Cockayne, and Ann and Martha Lowten, to Londonderry gaol, who had been committed under an old Irish law, two of the parties being of the church of Scotland, and married by a Romish priest.

Sir John Newport seconded the motion.

Sir George Hill defended the conduct of the magistrates, upon whom he said the law was peremptory.

After some observations by other members, some of whom stated the greatness of the evil of these marriages, and the cruel consequences to the females who were victims to them, the motion was agreed to.

Mr. Herries brought in a bill to repeal the usury laws, which was read a first time.—Adjourned.

House of Lords, Feb. 10.—The *Earl of Liverpool* rose, in pursuance of the notice he had given, to move the appointment of a committee to inquire into the state of Ireland, in a more extended manner than the inquiry which took place last session. Under these terms, no fair subject of examination would be excluded. But in thus appointing a committee to inquire into the actual state of Ireland, he certainly did not mean to refer that particular subject which was commonly called the Catholic question. That was a subject of too paramount importance to be consigned to an inquiry of this kind. It was competent for any member of their lordships' house to propose the discussion of that question; but he would not consent to its being specifically referred to a select committee, or to any committee which did not include every member of their lordships' house. It was, therefore, not with the view of having the Catholic question considered, that he made the present motion. It would, as he had observed, be open to any member of the house to consider when that question should be discussed by the whole house. But while he said this, it was not his intention to limit the inquiry as to those facts which might relate to or have a bearing on the Catholic question. If there were

were facts connected with that question, which, in the judgment of any noble lord, might throw light on the inquiry, he would not object to their being investigated.

With regard to the composition of the committee, he should name for its members the same noble lords who composed the committee of last year, with the exception of some who were either absent or wished to be excused from attending. A noble friend of his, who sat on the committee of last year, was absent on the continent, and he should therefore move to appoint Lord Fitzgibbon in the room of the Earl of Clare; and as Earl Fitzwilliam, on account of his age, did not wish to continue on the committee, he would propose in his stead the Duke of Devonshire. The noble earl concluded by a motion in the terms he had before stated.

Several noble lords expressed concurrence in the motion. Lord King hoped that no enactments regarding Ireland would take place till the inquiry had been made.

The motion was then put, and agreed to.—Adjourned.

House of Commons, Feb. 10.—The gallery was crowded at an early hour, in consequence of the notice given by Mr. Goulburn on a former day, of his intention of asking this day for leave to bring in a bill to amend certain acts relating to unlawful societies in Ireland.

Mr. Maxwell presented a petition from the nobility, gentry, and freeholders of the county of Cavan, against the concession of any further privileges to the Roman-catholics. He should merely state, that the petition he had the honour to present was signed by 4,700 persons, and should reserve

to another opportunity the declaration of his opinions, which were in complete unison with those of the petitioners.—Ordered to be printed.

Sir G. Hill presented a petition from the nobility, magistrates, clergymen, and freeholders, of the county of Londonderry, praying the house to take speedy measures to suppress an assembly which styled itself the Catholic Association of Ireland. He should abstain from entering into any detail of the various evils which had emanated from that very mischievous body, and should merely state the circumstances out of which this petition had originated. He could assure the house, that though much alarm had been excited in the minds of the protestant population of Ireland, by the attempts of that assembly to rule, tax, and govern their catholic fellow subjects, and to alienate their affections from the regularly constituted authorities of the country, the petitioners would have left the suppression of the evil to the executive government, had they not seen a dangerous attempt to levy the catholic rent in their own immediate neighbourhood. A subscription had been entered into in the town of Londonderry, to build a school-house for the education of Roman-catholics—an undertaking which several protestants had benevolently contributed to support. The money so raised was given the leaders of the Roman-catholics in that neighbourhood, who immediately handed it over to the 'rent,' accompanying their gift with the usual inflammatory speeches. (*Shouts of "Hear" from the Opposition.*) He said "hear" too, though unfortunately

for Ireland, she had already heard too much upon this subject. (*Hear, and a laugh.*) Nothing, he observed, could be more decisive as to the feelings of the county of Londonderry on the subject of the catholic claims, than the petition which he had then the honour to present. The requisition for calling the public meeting at which it was passed, was signed by 340 persons; the meeting was numerous and respectably attended; and the petition itself was signed by 29 magistrates, 39 clergymen, and 1,700 freeholders, within the short period of three days.

Mr. Abercromby said, that as the right honourable baronet had insinuated that all the inflammatory language used in Ireland was used by the friends of the Catholic Association, he would be obliged to him to lay upon the table a copy of the speeches which were delivered before this petition was agreed upon, or to point out to him where he could find a correct and accurate report of them. Some such proceeding was necessary on the part of the right honourable baronet, if he wished the house to form a correct judgment on the comparison he had instituted, as to the temperateness of the language used by the two parties into which Ireland unfortunately had been so long distracted.

Mr. Dawson said, that he had been instructed by his constituents to support this petition—a course of proceeding which he certainly should have adopted, even if he had not received their instructions. The petitioners would not have thought it necessary to come with their prayers to parliament, had they not seen it falsely and impudently asserted in some resolu-

tions of the Catholic Association, that the feelings of the protestants of Ireland were decidedly favourable to the catholic rent. He would undertake to say most positively that this was not the fact. Ninetenths of the protestants of Ireland were, he believed, decidedly hostile to it. They were so, at least, in the county of Derry, where they were to the catholics in the proportion of numbers as two to one, and in the proportion of respectability, property, intelligence, and industry, as 1000 to one. They were not desirous of lighting up the brand of discord in the country, but when they saw the Roman-catholics taking measures which must inevitably lead to hostilities if not counteracted, they felt it incumbent upon them to come forward and to declare to government their sense of the danger in which the country was liable to be involved.

The petition was read, and ordered to be printed.

Mr. Goulburn rose, in pursuance of the notice which he had given, to move for leave to bring in a bill to amend the laws relating to unlawful associations in Ireland. At the close of the last session of parliament, he had indulged a confident hope, and one in which that house participated, that the measures which parliament had adopted, and which the government of Ireland had pursued, would have been sufficient: the steady and uniform discharge of the high trust reposed in them, which had marked the proceedings of that government, was making its way. All these measures and acts were, at the close of the session, in the course of progressive beneficial effect, and the march of

justice and peace was advancing as evenly as any honest man could desire in that country. He regretted that in such a state of things, any body should exist, which called for the interposition of the legislature at such a moment; but he could not conceal from the house, that although the previous outrages which had disgraced Ireland had ceased,—although the employment of her poor had considerably increased,—although her trade had advanced in proportion, and considerable commercial establishments had grown up in places where they had not before existed, but in which they were likely to be most beneficial;—although all these benefits had arisen, and carried in their train of consequences advantages to which heretofore the country had been a stranger; yet there had also, unfortunately, grown up another power, unconnected with the parliament or the government of the country, but attempting to control both. The existence of this body was well known at the close of the last session of parliament, and its evident mischiefs were not unobserved at the time; but by the forbearance of government, there were many who hoped, that by refraining from any application to parliament to put down the Catholic Association, the evil might of itself subside, and that, however alarming was the principle of that body, there was yet room to hope that it would sink into a state of inactivity or insignificance, which would render any legislative interference with its constitution unnecessary. It had, however, he was sorry to say, in the result deceived those who had taken a mitigated view of the

subject. The Catholic Association had now notoriously risen to a station which was calculated to alarm every honest man, because it was calculated to deprive the country of that returning peace and prosperity of which it stood so much in need: it had superseded all rational authority, and carefully and ingeniously evaded the provisions of the existing law against illegal associations in Ireland. He was perfectly aware how tiresome it must be for the house to have to hear over again the public proceedings of a body, which during the whole of its deliberations boasted of having courted publicity. It took the utmost possible pains to disseminate its acts from the commencement of its new era, in the year 1823. It was, in the consideration of this part of the subject, a matter of perfect indifference to him what were the original intentions of the founders of this association. Their first report stated, that they confined their labours merely to the progress of the catholic question, and matters immediately connected with that measure; it mattered little to him, whether this was their only object, or whether they sought to attain a reform in parliament, or ultimately, a separation from Great Britain. Enough was it for him to know, that the present evils were glaring from the existence of this association, whatever were the intentions of its early promoters. He should, on account of the publicity which they had already obtained, refrain from going into details of the speeches so frequently made by the principal members of the Catholic Association, and he was at the same time ready to admit, that debates

debates in popular assemblies were often very likely to be conducted in a tone and manner little calculated to sooth the parties who felt an interest in the controversy. But there was this peculiar character belonging to this assembly, in which it differed from almost every other—that there was a concurrence of opinion among its members, all directed with a united effort to one point—that dissent was inadmissible from the proceedings of this body, and therefore that it lost the interposing aid of the clash of adverse opinions, which in other assemblies mitigated, if not neutralized, the violence of peculiar views. Here there was no opposing voice, and therefore was the greater danger to be apprehended from unanimous efforts to attain particular ends. Another dangerous tendency of this body was its indefinite quality, as well as its indefinite duration. Imperfect as sometimes was the periodical controul of the multitude, fickle as was its supervision, still it presented some controul over other bodies: here there was none, as this self-elected body continued to act without resorting for extraneous advice, or any fresh accession of power from the people. He would describe the persons who composed this Catholic Association. There was certainly among them a few of the first class of the catholic body; there was next a number of those persons who regularly attended to Irish affairs, among them disappointed individuals, who sought personal aggrandizement, some of whom undoubtedly possessed considerable talents: their occupation was occasionally to discuss some real grievance, but more often to colour

up, or exaggerate, some fancied one, to inflame the people by declarations that their legislature was corrupt, and their laws cruel and oppressive. It was by arts such as these that individuals acquired popular estimation among the body. In addition to these classes; there were also in the association surviving members of the Catholic Convention of 1793, who had abandoned the actually representative character, to assume the virtual principle of representation. There were, besides, men among them who had been in the rebellious ranks of old times, who had for their offences suffered the penalty of the law—men who were the friends of Tone, of Russell, and Emmett, traitors who had borne arms against the King's troops, when drawn out to oppose their insurrectionary schemes. Together with this promiscuous assemblage, was to be found a few members of the catholic peerage and aristocracy, and a considerable number of the catholic gentry and persons of property. It was impossible, however, not to feel that many of these respectable persons did not give what ought to be deemed a voluntary co-operation; on the contrary, he knew that there were many of the respectable gentry and catholic aristocracy who viewed the proceedings of this association with a dread not inferior to that of their most ardent opponents. It was not by rank or virtue that the members of such a society raised themselves to eminence in the eyes of their fellow-countrymen, but by acting the part of pander to the prejudices and passions of the multitude. It was this which had a tendency, and a formidable one too,

too, to effect mischief, for it took from honourable ambition the virtuous motive of moral impulse. In the exercise of these popular appeals to the passions of the people, the Catholic Association proceeded according to all the recognized forms of Parliament; they had their committees of grievance, of justice, of education, finance, with persons regularly assigned and deputed to conduct all these investigations. These general committees had also subordinate agents under their controul, who had specific duties to perform, with particular duties relative to individual grievances. The only office which was not regularly and systematically filled was that of speaker—and there the only difficulty arose in consequence of the nature of the office imposing perpetual silence upon the possessor. Although the association had succeeded in actually acquiring a decided controul over the catholic population of the country, yet they attempted to keep up appearances by occasionally convening an aggregate meeting, which they held out to be a general meeting of the catholics of Ireland, but where in fact the orators were the same men who figured away at the association, and who re-assembled at the more public meeting, merely to re-echo each other's self-congratulation, and each to bestow upon his fellow-member the full meed of praise for previous services. The first great act of this self-constituted body was the imposition of what was denominated the catholic rent, and which was supposed to be merely a voluntary contribution. There were regular collectors, and regular sums as-

essed under this name, so that it was by many felt to be an onerous and grievous tax. Was it to be tolerated that money was in this manner to be collected from his Majesty's subjects by an irresponsible body, and to be applied to indefinite objects? Was that a state of things which the constituted authorities could endure? And so completely was the engine for collecting this payment constructed, that there was a regular chain through all the ranks of society, closely linked, to encircle the different gradations of society. The association first ordered a sum of money to be raised by the body at large. And who were employed for this purpose? Those of most influence—the priesthood, who, with the agency of direct collectors, superintended by themselves, acting under express instructions, and with regular sets of books, in which were inscribed the names, condition, and rent of the individual, proceeded to levy this contribution. In the mode of collection there was a direct controul both of a spiritual and political nature, and the names and amount were regularly fixed upon: and there were not wanting instances in which direct censure was intimated to individuals who were backward in their offerings, and who were held up to popular opprobrium for their inaction. Neither was the influence of the priesthood alone confined to the collection of this rent, and the censure of those who were inactive in their contributions: it also went to fill another book, which was to contain the names of those who refused, and whose refusal was as regularly recorded and reported. Was this, then, to be called a voluntary

voluntary subscription? It had so happened, that many respectable gentlemen of the country, who recollected the abject misery of their peasantry, and their inability to provide adequate support or education for their families, had endeavoured to dissuade them from applying any little portion of their inadequate means to the fund of this rent. The consequence was, that the Association at once denounced them, held them up to reprobation and scorn, and if not to the vengeance, at least to the hostility of their fellow-countrymen. In the constitution of this fund, then, there was in itself a heavy grievance; and when they came to consider of its application, they would find equal cause of complaint. He deeply regretted the part which the priesthood had taken in this transaction; when they recollected the influence of the priest over his flock—his power of absolving, or permitting under certain qualifications, a power which, whether the priest had actually made use of it, or not, was still formidable, and which, when exercised in a political sense, was much to be deplored. To some parts of the application of this money, he would not detain the house by interposing objections;—he would not object to the members of the Association giving briefs to each other in the courts of law, and paying the fees out of the catholic rent; nor would he criticise the regard shown by them to the liberty of the press, in retaining a considerable part of the Irish press in their interest—in persecuting another part of the press—in employing Cobbett, and disseminating his writings throughout the country. Although not

unmindful of the injurious tendency of some of these acts, he yet did not mean to complain of them. It was in their unjustifiable interference with the administration of justice that he thought the legislature had a right to complain. He knew he should be told, that there were institutions in England which had a similar object; but even if that were the case, it did not follow that that which might be permitted here was equally permissible in Ireland. It was, he thought, manifest, from the tendency of the proceedings in Ireland, that the interference now carried on there by the Association with the administration of justice, could not be conducted without the most manifest danger to the country. The right hon. gentleman went on to show the effects of the continual interference of the Association in the affairs of Ireland. Not only were the proceedings of the civil government thus impeded, but the same spirit actuated the Association to interpose their influence in the ordinary administration of justice. The business of the court at quarter sessions was perplexed by them; and they contrived to intermingle with the common interests of justice all the bitterness of political enmity. Without the application of some check, no case of any kind could, by-and-by, be brought on before those tribunals in which the magistrates would be able to do their duty with safety. In every case of felony or murder, especially, it would be assumed by the association, that it was their business to be vigilant in superintending the execution of the laws. Counsel would be retained at head-

head-quarters, who would come down with the most exaggerated statements against any individual charged by a catholic. None of those courts would ever be free from the presence of some representative of the Catholic Association, intrusted with the business of watching over the administration of justice. The magistrates would be bound; it would become a thing of course, to hear one of these advocates, by whose proceedings the course of the sessions business would be perplexed and impeded. He spoke of these effects, not as of things merely imaginary; they were, though anticipations, real descriptions;—they portrayed evils which had been felt and experienced, and were of very recent occurrence. Many magistrates of unquestionably equitable conduct, of known and admitted impartiality, had complained to the government of the hindrances which were thus put in the way of the fair distribution of justice. Putting out of view for a while the inconveniences with which the subordinate jurisdictions were harassed, he begged leave to call the attention of the house to the result in cases which came before the higher tribunals. He would not waste their patience by going into the circumstances of the whole of them, but confine himself to the details of one or two only. Luckily for his argument, he could have recourse to the records of the Association, in which the facts which he was about to relate obtained complete confirmation, and he would borrow his statements from them. It happened that in the month of July last, according to the statement

of the Catholic Association, a murder was committed at the parish of Ballybeg. It was first notified to them by a correspondent, who styled it an "unprovoked and wanton murder of a catholic by an orangeman," and lamented that the zeal of the Catholic Association had not of itself sought to bring the matter forward, without being called upon to do so by the writer. The letter, which was published, was transmitted before the trial to the Catholic Association. On coming before that body, a discussion took place, and a Mr. S. D. Murray moved, that the business should be referred to a committee of the Association. The committee was appointed, and in a spirit plainly emulous of the dignity and authority of parliament, it sat and reported. Authority was then given to institute proceedings for the prosecution of the alleged murderer, and Mr. Kirwan was directed to conduct it. (*Hear, hear.*) Did gentlemen mean by their cheering, that this was a course of proceeding of which they could approve? He entreated them to consider it again. An individual was to go to trial with the opinions of the whole Roman-catholic population enlisted against him. He would have to go to trial with the declaration of that body against him, as against one who had perpetrated wilful murder upon political views and motives. But to pursue the proceedings farther. The trial came on. A host of evidence was produced, who proved the infliction of many grievous and deadly wounds, and recited acts of horrible cruelty. Witness after witness deposed, that the man charged with

with the murder jumped upon the throat of the deceased, kicked him in the side, jumped upon his arm, and behaved to him, who was struggling in the agonies of death, in a manner, to relate which would too much disgust the house. What was the consequence? The surgeon who had examined the wound deposed, and he was corroborated by one of their own witnesses, that the body evinced no particular marks of violence, and that the deceased had come by his death by the dislocation of the vertebræ of his neck, which, in falling, went into contact with a small post. The jury pronounced a verdict of acquittal. (*Hear! Hear!*) Gentlemen who cheered would do well to remember, that the interference of the Association did not preclude,—as, on the other hand, it was not at all intended to aid,—the ordinary course of justice. He begged their attention to what followed. After the verdict of acquittal, the judge who presided addressed the prisoner, and said, that he did not conceive that he could rightly discharge his duty, if he allowed the prisoner to go from the bar, without expressing, not only his very great satisfaction at the verdict, but his entire approbation of the prisoner's conduct in the affray; a conduct which tended to preserve the peace instead of disturbing it, and which entitled him (the prisoner) to the thanks of his country. Such was the treatment experienced by this innocent man, who had been denounced as a person capable of committing murder out of mere hatred to catholics. He was of opinion, that not only all topics of extraordinary irritation, but all those of ordi-

nary inflammation, should be carefully avoided in that country. Above all things, he would reprobate the interference of any body of men, as likely to corrupt or interrupt the ordinary course of justice, who were to be paid out of the aggregate funds for doing so; and he thought every one must see, and admit, the danger of allowing other men to sit on juries, from whom those funds were exacted. He went on to notice another case, the particulars of which were more familiar to the house, from one of the newspapers, in the interests of the Roman-catholics. It related the proceedings of a person, who was constantly entitled, by the writer of the paragraph, "a ruffian;" he had been taken up for administering unlawful oaths to the catholic inhabitants of a certain parish. He was discovered to be a soldier in the 26th regiment, and it was broadly insinuated that he was doing this with the connivance of government. It was then recommended that he should be pressed, by some one deputed from the Catholic Association, lest he should, through the interference of the magistrates, escape transportation, which he so richly deserved. He confessed that, on reading this series of bold asseverations, he did not doubt but that some wicked persons had been at work, to spread discontent in that part of the country, and that there must be some truth in a statement so hardily advanced, notwithstanding the disgusting imputation of the intention to the government of Ireland. The accusation, conducted by the delegates of the Catholic Association, was heard before a very numerous

numerous bench; there were forty-three magistrates present; they treated it as a base fabrication, and that there was no ground whatever for the charge preferred. The priest of the parish in which the accused had been taken up, admonished his flock to beware of those men, whose pockets were full of the king's money, but who were only anxious to seduce them in the first instance, that they might afterwards shoot them like dogs. Here was the same object manifested—that of impressing the people with an idea, that it was the government itself which had secretly attempted to agitate them. The priest was not content with this; he denounced the individual from the altar, and said that he would find out to what parish he belonged, and he would make his wife or mother, if he had either, leave the country. Was it to be thought of without horror, that the wife or mother of an individual, who was wholly innocent of any crime, should be driven from home, to wander an exile in other countries? He preferred the law, as at present administered, to any administration of it by the Catholic Association. He then referred to the immediate transactions of the Catholic Association, who had, in the course of their proceedings, taken considerable displeasure against the existing system of Whiteboyism. This was an example of the spirit in which they sought to effect the tranquillity of the country, as it had been attributed to them. They stated that Whiteboyism injured their cause in the minds of many persons, of great respectability in the country, who were otherwise favourably inclined, and

that they were resolved to use their influence, which was not little, to put it down. They gave their admonition accordingly to the poorer classes to abstain from Whiteboyism, because it had caused the transportation and execution of many innocent persons; they reminded them of the power and terrors of the laws which were held over them. So that they could not touch even upon the topic of peace without insulting the laws, to which they ought, if they were sincere, to have inculcated obedience, and to which they attributed the sacrifice, either by transportation or death, of innocent men. He denied, on the part of the Irish government, every imputation of this nature. No man could be more anxious than the present lord-lieutenant to have the circumstances of every case diligently examined. He could safely declare, that the utmost attention had been given to the investigation of every case; nor had sentences ever been carried into execution, where any suggestions which would warrant it could be advanced towards relieving the convicted party from the weight of his accusation. The association exhorted those they addressed to avoid Whiteboyism "in the name of common sense, by the hatred they bore the orangemen, their natural enemies; by the respect they entertained for their clergy. In the name of religion and the living God," they were commanded to preserve the peace. Could a really christian man have indicted this paper? Could he have devoted the sabbath to the labour of composing, and then boast that he had done so, as a work the most acceptable

ceptable to his Maker? Could it be believed that any man would attempt in this age of christianity to connect, as religious and moral duties, in the same sentence, love of God and hatred of your neighbours? If this proclamation were to be accepted, it must be inferred that it was a principle in the minds of Roman-catholics to hate all orangemen, which, throughout that country, was almost synonymous with protestants. To show that there was no possibility of taking the passage in any other sense, he adverted to the behaviour of the meeting at the time of voting it. An individual who was present pointed out the danger of retaining a form of words which, in all probability, would be misunderstood, not only by those who were opposed to them, but by the more ignorant of the Roman-catholics also. A division ensued, and the words were retained by a very considerable majority. It must be inferred, therefore, that this was a principle upon which the catholics were prepared to act if they could obtain power, when that which they possessed by their influence over the minds of their catholic brethren was used in inciting and directing their energies to feelings and purposes of hostility in regard to their protestant fellow-subjects. Could there be any doubt that this was a fit case for the interference of parliament? The document, thus worded, was distributed throughout the country. Priests read it from the altars in preference to preaching a sermon. Was it surprising that the protestants should view these proceedings with alarm and apprehension? Could the government be justified

in tamely allowing its interference with all affairs of state? Could they do less than to call on parliament to rid the country of a danger which threatened not only to perpetuate the political divisions, but also to re-awaken religious animosity in all its force and bitterness? The time was not so far distant when an association of this very kind was formed in Ireland. They professed the same moderation of views—he alluded to the United Irishmen. They proposed for their object catholic emancipation; but their subsequent proceedings proved that their covert intentions were rebellion and a separation from this country. They also set out with professing to defend individuals unjustly accused, and rendered amenable to the laws. He requested the house to consider what must be the natural consequence of the parliament not interfering. Could they expect that the protestant body, thus left to their own means for protection, would not, were it but in self-defence, constitute themselves into a counter-association? Would they not be justified in assuming the same powers—in exerting the same principles—in exercising the same functions—in interfering in the like manner with the proceedings of the government and of the courts of justice? Then there would be a sort of parliament exerting itself over the powers of the state in that country, the authority of which would there be observed more readily than that of the British parliament. The courts of justice, especially the subordinate ones, would be converted into arenas for the disputes and the

the bickerings of the catholic and the protestant advocates, who would appear, one on each side, in every case where the parties differed in religious belief. Could the government, with propriety, allow this double domination? He was confident that parliament would put it down. If any one admitted the evil which he had conditionally predicted, could he contend for the continuance of the Association? He next came to some details of the measure which it was his intention to submit. It would be recollected that two years ago he had introduced a bill for the suppression of secret societies; and he believed that he might assume, that subsequent experience had taught every member who heard him to acquiesce in the expediency of it. In many parts of Ireland that bill had achieved more than its immediate object. It had not only caused the proceedings of those societies to be modified, so as to correspond with the provisions of the act, but in many instances the societies dissolved themselves, though they had perfectly legalized their proceedings. Some of them had substituted for their secret oaths, the ordinary oaths of supremacy and allegiance, taken before a magistrate, as the only qualification which would avail any one in trying to become a member. He proposed to extend the provisions of that act. The bill would render unlawful all societies assuming to act for redress of grievances, which were to have a permanent duration, or appointed committees to meet for above a certain time, and which levied or collected money. It would also render illegal all so-

cieties affiliated which corresponded with other societies, which excluded persons of any religious faith, and which took oaths otherwise than as directed by law. There would be exemptions of certain societies, which met for purposes connected merely with trade, agriculture, charity, and others of a harmless nature. The party charged with being a member would be prosecuted by indictment alone: so that in cases of vexatious prosecutions, the Attorney-General might have an opportunity of interference. He hoped most sincerely that these measures would restore peace to Ireland. These hopes, he trusted, would be received with pleasure by all parties. He believed they would, because he conceived there were no other means by which that house could show its due regard for those rights to which it was indisputably entitled; by which alone it could prove its disapprobation of measures—he would say of an offence, that tended at once to overthrow the prerogatives of the crown, and to destroy the true privileges of the people. He firmly hoped that the house would, by its manly, consistent, and honourable conduct, show to the world that it would listen to no threat—that it would despise any thing like dictation. On former occasions attempts had been made against the power of parliament; but he was one of those who thought that, when properly exerted, the great body of the people would still be brought to love and revere the legitimate power of parliament. The result of the measure he proposed would be to restore tranquillity and peace to Ireland: such

such was his firm impression. It would, he trusted, remove from Ireland the scenes which he had described, and restore that much-disturbed country to peace and happiness. In this hope, he rose to move, "That leave be given to bring in a bill to amend certain acts for the suppression of unlawful societies in Ireland."

The question having been put,

Mr. J. Smith rose, and said, that as an individual intimately connected with the Irish Society of London, he felt it incumbent on him to deliver his sentiments on this momentous question. He could assure the house that, in all he meant to say, he followed no other dictate than that of a sincere sense of public duty. A great part of the right hon. gentleman's speech related to the conduct—the atrocious conduct, as he had termed it—of the Catholic Association. The right hon. gentleman had given the house many details and statements on that subject. If he were to decide on mere statement and detail, then certainly he should be as much satisfied with the statements and details of the right hon. gentleman as he could be with those of any individual he was acquainted with. This would be very justifiable in a private case. But when a great public measure was connected with those statements, then he could not rest satisfied with any details which came from the right hon. gentleman, unless they were borne out and corroborated. He stated that there had been, upon many occasions, a great abuse in the administration of justice in Ireland,—that the Catholic Association was useful in aiding to rectify this; that the

protestants had long united in orange societies,—and he concluded by observing, that if the act trenching upon the liberty of Ireland he would oppose it at every opportunity.

Mr. Abercromby said, he came to this discussion with the most perfect temper. It demanded the cool and candid consideration of the house when they were required to deliberate on the course of conduct now proposed to be adopted with respect to Ireland—a course of conduct which, in his opinion, was calculated directly to sap the peace and tranquillity of these realms, which, he thought, so far from producing benefit, was likely to engender sedition. If this were an ordinary bill, a bill that could in its progress be improved, he would willingly postpone its consideration at the present moment; but it was against the principle, the object, the foundation of this bill that he contended, and he could not even for a minute withhold his opposition. If he were asked, "Do you regret the existence of this society?" he would say he did. And why? Because it brought into view—because it clearly proved the existence, and gave decisive evidence of those grievances which had long been complained of, and which should long since have been removed. If it had not been supported by those grievances, that society could not have flourished. It appeared to be peculiarly hateful to some gentlemen because it brought forward matters which they wished to conceal. He wished not for its continuance, because he wished that the grievances on which it was founded, and in the absence of which it must

must fall to the ground, should cease. He lamented its existence, because it told him of wrongs long inflicted, of rights long withheld. If he were asked the question, he would say, "On those grounds I wish the Catholic Association no longer had any existence, I wish that of which they complain to be removed." But did this state of the case support the proposition which had just been made by the right hon. gentleman to the house of commons? He answered, "No." By an act of parliament, they might destroy the Catholic Association in its present form; but, after they had destroyed it in its present form, how were they to put it down when it assumed a different shape? He would adopt a wise measure—he would destroy the cause which produced the Association. He would repeat it—*emancipation* was the only weapon by which they could overturn and destroy the Catholic Association. He spoke of this matter strongly and confidently. He contended that, so long as they refused justice to the catholics, so long would they keep up the Catholic Association. What was the case now, with reference to former periods? Some time ago the protestants had all the knowledge, all the information, all the wealth of the country; but now the catholics had acquired knowledge, education, and extended information—they knew their strength—they felt they were the preponderating power—and they demanded their rights with that force and firmness which they thought their claims required. What, then, under such circumstances, could be the effect of this bill? It

could have no other effect but to aggravate the irritated feeling by which the evil was produced. The Catholic Association could not exist, unless the grievances which it endeavoured to redress had become heavily and universally burdensome; and it could not endure for a moment, if it outraged the feelings, or acted contrary to the judgment, of the sober and dispassionate part of the public. As for the convention, so long as it adhered to the principles on which it was first established, and which were just and reasonable, so long did it continue to be powerful and successful. The moment that it departed from those principles, it was scattered before the wind, and utterly destroyed. He was entirely convinced, that, in the first instance, the Parliament of England ought to pursue the only wise and proper course which was before them, and to grant emancipation to the catholics. If they did not, he was convinced, by the experience of past years, that no laws they could enact would avail, and that the wiser course would be, to leave the subject wholly untouched. The right hon. gentleman's speech had, at least, conveyed to him information which he had never possessed before. He had asserted that the rent was collected by compulsion. If it were really so, then it must be nearly at an end; for it must be obvious that no such compulsion could be successfully exerted for any long period. On this assertion of the right hon. gentleman, he (Mr. Abercromby) bottomed his argument, and said, let the Catholic Association alone. If he were hostile to the catholic claims,

claims, still he should say, let them alone, since a natural or a violent death must shortly await the association. But the fact was, that the catholic spirit did not decrease; on the contrary, it had increased, and was still increasing. This bill, if it should be carried, and the attempt to carry it, if it should be defeated, would make that spirit increase. It would make it ten times stronger than it was before, and would help the Catholic Association, in its main object, to unite the hearts of all the various parties who were interested in the catholic claims. Before the announcement of this measure, it was a problem whether the Catholic Association would or would not be able to subsist; and whether the persons composing it would be able to obtain the confidence of the catholic people. The bill now before the house had removed all doubts, and had raised the leaders of that body at once into eminence. Every body must see that this was one of a series of measures, contrived to keep pace with the ingenuity of the government, and the discontent of the people. He (Mr. Abercromby) for one, feeling that justice had not been, and never could be, done to the people of Ireland, until their emancipation should be conceded, and that all other measures would be hopeless and unavailing, would resist, to the utmost of his ability, the proposition of the right hon. gentleman.

Sir H. Parnell defended the Association from any desire to create disorder, and enlarged upon the necessity of making the population of Ireland contented; they were eight millions, and dange-

rous neighbours to the fourteen millions of England.

Mr. L. Foster next addressed the house against the Catholic Association, and *Mr. John Williams* in its favour.

Mr. Peel, after a variety of other observations, enlarged upon the difficulties placed by the Association in the way of public justice. To show the extent of the nuisance which this association caused, he would read them an extract from one of the Irish newspapers, which had last arrived. It appeared from them, that, at a meeting of the Catholic Association, on Wednesday last, a gentleman, to whom it had been referred, made a report on the case of John Cahir, and the Rev. Augustus Cavendish. He did not know whether he might be wrong or not in so doing, but he must ever protest against the principle on which these reports were made. This association, be it known to the house, had appointed a committee, to report upon the conduct of a magistrate, who, if the report were unfavourable, would afterwards be put upon his trial at its expense. Would any man rise in that house, be the conduct of Mr. Cavendish what it might, to vindicate the propriety of such a proceeding? Here was a body, with large funds at its disposal, which it expended in instituting an inquiry previous to trial, and which brought in its report declaratory of the party's guilt or innocence, before it even placed him upon his trial. In the present instance, the committee had even done more than make a report, declaring the guilt of Mr. Cavendish; for the conclusion it had come to was this, that
a memorial

a memorial should be presented to the lord-lieutenant on the subject of that gentleman's improper and illegal conduct. Nay, more; the gentleman who brought in the report, actually moved that the action in the case of Tighe should be defended at the expense of the Association, and also, that a petition should be presented to parliament, praying that Mr. Cavendish should be removed, as being an unfit person to act as magistrate. The Association, if its aim were justice, might, at least, have postponed the petition to parliament till after the conclusion of the judicial inquiry. But, no; at the same moment the associators published the memorial which they presented to the lord-lieutenant, and sent the magistrate to trial, not only with the disadvantage of a previous condemnation, but also with the disadvantage of having it known that a petition was to be presented to parliament against him, for what he had done as a magistrate. He had no means of knowing any thing of the merits of this transaction, except from a letter of the Earl of Donoughmore on the subject, which a gentleman who had not opposed the approval of the report had read to the Association. Here Mr. Peel read Lord Donoughmore's letter, in which he declared, that as governor of the county, he had examined into the charges made against Mr. Cavendish, and had found them groundless; that he had transmitted fourteen folio pages of depositions, which he had taken during the examination to the Lord Chancellor, who had not only acquitted Mr. Cavendish upon them of the charges adduced against him, but

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had also applauded his conduct on the very grounds intended to criminate him, and that he considered the further persecution of this excellent gentleman to be an act of oppression on the part of the Association. Now, when such was the opinion of a nobleman, who had always been friendly to the catholics, of the nature of their conduct, was it possible, he would ask, that the gentlemen of Ireland would undertake the duties of the magistracy, if they were to be liable to such attacks in the performance of them? For the vindication of the magistracy, for the maintenance of the laws, for the impartial administration of justice, he called upon the house to consider of the propriety of applying some remedy to that which he trusted he had now indisputably proved to be a most afflicting evil. He did not think it necessary to detain the house any further with regard to the proceedings of the Catholic Association, in corrupting the administration of justice. He would, therefore, proceed to call to their recollection the political nature of this imposing body, and, in doing so, he must beg their attention to a few facts. Here was a body which had now been in existence for more than a year, under the pretence of preparing a catholic petition to parliament. That body imitated, or, he should rather say, travestied all the proceedings of the house; a matter of little importance in itself, but which, combined with others, assumed a certain degree of consequence. It separated in summer as the house of commons did. It met again, however, in the month of October. The ho-

nourable baronet had told them, that when he was in Ireland in September, he found the country perfectly tranquil, but he had forgotten to mention a slight fact, that was not, however, unimportant; namely, that the Catholic Association was not sitting. The honourable baronet had likewise told them that he had returned to it in November, when he found the inhabitants arming in defence of their lives and property, and an alarm prevailing amongst all classes, which was evidently unfounded and exaggerated. The honourable baronet had here also forgot to mention another slight circumstance, which was not wholly unimportant; namely, that on his return he found the Catholic Association sitting; that it had been sitting ever since the 16th of October; and that its schemes, which had then been six weeks in operation, had produced all the alarm which the hon. baronet had so strongly deprecated. The hon. baronet, however, had disregarded this cause of the alarm which agitated Ireland from its inmost centre, and had attributed it to another, which was perfectly ridiculous—the presence of the missionaries in Ireland. The strange notion which the hon. baronet had formed upon this subject, recalled very forcibly to his mind a fable of very ancient date, though of uncertain origin. In this fable, it was represented that a great pestilence had fallen on the beasts, and that they had a congress, or, perhaps, an association, to deliberate into the cause of it. The lion, the tiger, and the other animals who delighted in blood, all asserted that they could have nothing to do with the cause;

of it; but having discovered that an ass had eaten of a thistle on the sabbath, agreed, with the utmost unanimity, that the ass must have been the animal that had called down the anger of heaven, and, therefore, sacrificed him to appease its vengeance. The hon. baronet reminded him strongly of this fable of the ass, when he attributed the alarm of Ireland to the missionary wanderings of Captain Gordon and Mr. Noel. Did the hon. baronet recollect, that at that very time the Association had published that address which had since been so often quoted? Could he find nothing in that address more alarming than the presence of Captain Gordon? Could he find nothing in it to excite alarm in the breast of every protestant, when he found the catholics adjured to unanimity by their hatred to orangemen? Could that phrase of orangemen be confined to the mere illegal associations which were so called; or was it not as notorious as the sun at noon-day, that by it all the protestants of Ireland were designated? When such phrases were used, was there not a cause for the alarm which existed, very naturally, though in a very exaggerated degree, throughout the whole of Ireland? This body, he also begged the house to observe, had a complete organization throughout the country. He did not mean to say that this organization was for the purposes of mischief; but this he had a right to say, that it was calculated to excite suspicion. The spirit of our constitution was founded upon suspicion; and he had a right to assume it likely that this body, though it might not intend evil at present, might

be turned to it at some future period. This body had its agent in every parish, and its correspondent in every town. Their intentions might be good, but with such machinery, how easily might they be converted into a political machine, of the greatest mischief? The hon. baronet had told them, that all their precautions to put it down would be unavailing. He had said, "Abstain from all legislative measures: this nuisance, if nuisance it be, will speedily abate of itself. I have the authority of a clergyman, high in their confidence, to say, that they only want to raise a small sum, in order to give a contradiction to some taunt of Lord Liverpool." He did not know whether the hon. baronet, though he repeated, believed the story of his informant; but at any rate he must remind the hon. baronet that it was directly in the teeth of the proclamation published by the association itself. In that proclamation they declared it to be their intention to raise 40,000*l.* or 50,000*l.* a-year. Of this sum 5,000*l.* was to be employed in controlling or enlightening the public press of England. Another 5,000*l.*, and they were very liberal in their votes, was to be applied to the preparing petitions to parliament. Now he hoped that the subscribers would demand a rigorous account of the expenditure of this money; for they ought to be informed that petitions to the house of commons cost nothing but the parchment on which they were written, and could be transmitted free of expense to any member whom they selected to present them.

Then part of it was to be expended in keeping an agent in England. Another 5,000*l.* in sending priests to North America, and another 5,000*l.* for the conversion of their haughty and heretical neighbours in England. If the contribution of one farthing a-piece from each catholic in Ireland enabled the association to raise such large sums, surely there was ground enough laid for the interference of the house. Was it not a fit subject for its jealousy, when it was found that it had instituted committees of finance, of grievance, and of education? The assumption of such powers was, in his opinion, inconsistent with public liberty, and ought therefore to be put down without delay. The house was accustomed to admire the popular part of its constitution, and justly; for the checks by which it was guarded were extremely wise. It held its deliberations under the will of the crown, which could be suspended by it at any moment. No such check existed upon the Catholic Association, which held its meetings in no definite place, and was free from all control as to their time or duration. The house never instituted a criminal prosecution without great precaution, and always with and by the consent of the crown, to which it previously sent an address. The house, too, always guarded against bearing down an individual by its weight; but no such scruple existed in the members of the Catholic Association; it was under no controul as to the prosecutions it instituted, and even went deliberately to create prejudices against the accused by distributing *ex parte* statements of the evidence

to be produced against him. In the house they were not accustomed to vote away money to individuals without a committee being appointed to examine into his claims to remuneration. The Catholic Association, on the contrary, voted away money at will, without any restrictions, and thus arrogated to itself powers which were possessed by no other body in the country. What would be the consequence of establishing the principles on which it was founded?—the establishment of counter-associations in all directions, by individuals for their own protection. The country would in consequence be filled with dismay, confusion, and anarchy; for if parliament would not provide protection for individuals, it might be taken as a certain truth, that individuals would very soon provide it for themselves. It appeared therefore to him, both with reference to the political mischief and the corruption in the administration of justice which this association was calculated to create, that the house was bound to apply the remedy which his right hon. friend had that evening proposed. He had such an idea of the supremacy of the British parliament as to think that it would not require the triple military force predicted by the hon. baronet to carry it into effect. He had too good an idea of his Roman-catholic fellow-subjects to think that they would place themselves on account of it in opposition and defiance to the government; but be that as it might, he considered that sufficient had been shown to justify the government in applying the remedy which his right hon. friend had pointed out

to it. He hoped, therefore, that parliament would do its duty; and if it did, those who resisted its decrees must be responsible for their opposition to it. The right hon. gentleman then sat down by declaring his intention to vote for leave to bring in the bill, amid loud and general cheering.

Sir H. Parnell explained, and *Mr. Denman* defended the Association at some length; after which the house adjourned at half-past two o'clock.

House of Commons, Feb. 11.—On the motion of *Sir George Clerk*, the operation of the weights and measures bill, which was intended to take place on the 1st of May, was postponed until the 1st of January next, in consequence of some obstacles encountered by the commissioners for the arrangement of the proposed measure, in the construction of the necessary models.

On the motion of *Mr. Canning*, the adjourned debate upon the bill for amending the Irish law respecting unlawful associations in Ireland was resumed.

Mr. Grattan said, his object in rising was to do justice to the Catholic Association, which had been so maligned during the discussion of this bill. Every thing against that body had been said, but little in justification of its proceedings. All the violent speeches on one side had been quoted, but none of those of their opponents. When they had heard so much of the press of Dublin and the catholic clergy on the one side, they ought to be informed of the press of Dublin and an active portion of the protestant clergy on the other. The formation of the Catholic

tholic Association had in fact arisen out of the vituperation of the latter party: he was not the advocate for the violence of the popular party, but the provocation which they had received ought to be remembered, as well as the original cause of the violence. They were in fact a counter-association, and instituted for purposes of self-defence, against the opprobrium and calumny which had been heaped upon them. They ought, at all events, to be heard by counsel before this bill was enacted. He declared himself a warm supporter of the protestant religion, which he denied required the aid of catholic exclusion for its defence. He strongly complained that the effect of coercive and restrictive measures in Ireland had always been to alienate the affection of the catholic from the state, and to split the protestant members of the community into detached parties, acrimoniously opposed to each other. He knew that many of the plots which were conjured up to disturb the peace of Ireland were the work of spies, who were formed, and necessarily formed, by the present system of police surveillance which the government had so long unfortunately supported. Of these police, on a late occasion, ten or twelve had been tried, and six or eight convicted of murder. The people of Ireland required such examples, for unfortunately they did too often want the benefit of a pure administration of justice. These acts he predicted would do no good to the peace of Ireland. What had resulted from the convention act, which was the parent of the proposed measure? Just

nothing; for it was evaded by the people; instead of producing peace, the rebellion raged through the land in five or six years afterwards, and that worse than rebellion, the union, followed quickly in its train. He detested these gagging bills, police measures, and military attendants for the execution of the law; they were calculated to alienate the transmission of British capital to stimulate the industry of the people. He repeated that a large portion of the press of Dublin teemed with the grossest abuse of the catholics and their priests—traitors and demagogues were the terms usually applied to them. The right hon. secretary for Ireland knew that such was the language of the *Dublin Mail*, the *Antidote*, the *Star*, and other papers of the Irish metropolis—papers, too, which while they were prosecuted by one part of the Irish government, were supported by another part. He altogether disapproved of the bill.

Mr. Maberly argued against the supposed efficacy of this measure for putting down the energies of the Roman-catholic body. He thought past experience—especially after the admitted failure of the convention and secret society acts, admitted by the very introduction of this bill—should have taught ministers, that until the causes of discontent could be removed, they might put it down in one shape, but it would instantly rise in another. He had enjoyed some experience of the condition of Ireland during the last recess, and he could testify, that in those parts which he had visited there reigned the most perfect peace and the most submissive obedience to the laws. In

those

those parts which had for many years been distinguished for murder and commotion, all was quiet; rents were collected where they had never been collected before; leases were eagerly sought—an unfailing proof of returning order, since, in times of disturbance, the peasantry chose to trust rather to the chapter of accidents than burden themselves with the obligations of a lease. He gave ministers due credit for their measures; much good had arisen from the tithe commutation and the insurrection act, and a great deal more from the police act, which last, however, required great vigilance to prevent violence and abuses. But it was not to these or any other part of the ministerial policy that the tranquillity of Ireland could be attributed. Ireland was improving; she was happier, because she was more prosperous; the condition of the people was rising, and their morals rose with it. Agriculture, which was the basis of their wealth, was rising in prices, and English capital was rapidly flowing into the channels of Irish commerce. Some causes of irritation remained which had not been noticed. He particularly alluded to the Bible societies—those crusades, as he might venture to call them, against the settled sentiments of morals and religion which prevailed among the low Irish. He had tracked their course through the counties, and he had observed agitations and tumult to be the uniform effect. With education on their lips, proselytism was the object hidden in their hearts, and they refrained from no measures, however detrimental to the public peace, to effect it. With the permission of

the house he would read a few characteristic passages from their own account of the Carlow Bible Society, a meeting of which took place a year or two ago. There was a strong disposition to theological controversy between the protestant and catholic clergy, and at this meeting three sufficient champions were appointed on each side, to try what was deemed to be one of the chief arguments in question between them. [Here follows a part of the discussion, as given by themselves]:—

“*Mr. M'Swinney.*—I choose to personate a Socinian: how will you convince me, on your own principles, of the divinity of the Saviour. *Meus Pater est major me*—My Father is greater than I. How do you explain that?

“*Mr. Pope.*—By fair legitimate reasoning. If the Redeemer be declared God in very many passages, as I have shewn this morning that he is, then we must look for some explanation of the passages that will not militate against them. I inquire, ‘Is there any sense in which the Saviour was inferior to the Father, without compromising his essential divinity?’ The answer is obvious—in his mediatorial office, and in his human nature. This, then, is the explanation I would give—Christ, while one with the Father and equal to him in his Godhead, is inferior to the Father in his mediatorial capacity, and in his manhood.

“*Mr. M'Swinney* replied—‘That will not do, Sir—you have proved nothing—you have given an explanation that may satisfy yourself of there being nothing in the passage inconsistent with the equality of Christ with the Father, considered as to his divine nature.

"*Mr. Pope.*—I don't know what the gentleman means by 'proving nothing.'

"*Mr. M. Swinney.*—'The Father is greater than me.' You have not, sir, explained this text so as to satisfy a Socinian, though you spoke for three hours and a half, and during your speech you wandered considerably from the subject.

"*Mr. Pope.*—I certainly did speak for a long period, but I deny that I did wander from the subject. (*This was followed by loud cries of 'No, no, answer the question now.'*)

"*Mr. Daly.*—Mr. Pope has answered the question, and I appeal to you all if this is not fair play. Should not he answer the question now? You are all honest Irish fellows, and I am sure like fair play.

"*Mr. M. Swinney.*—I will refer it to the Chairman, whether you have answered the question or not.

"*Colonel Rockford.*—I must decline pronouncing any opinion on the subject.

"A gentleman, noticing the disposition to riot, proposed to adjourn the meeting. The scene of tumult which followed this proposition lasted for several minutes. The Chairman endeavoured to calm the meeting. The Rev. Mr. Shaw endeavoured to address them; but it was impossible to catch a word from them. It appeared to be the intention of the mob, not only to prevent the Rev. gentleman from being heard, but to proceed to acts of personal violence towards the protestant clergy on the platform. With this view, the temporary barriers were thrown down, several of the can-

dles extinguished, and a scene of riot and confusion took place, at once disgusting and disgraceful. The doors of the chapel had been closed, and the violent knockings and yells of those without contributed not a little to the horror of the scene. Mr. Bathurst, the officer commanding the police, intimated to the clergy of the established church, that, from information which he possessed and his own personal observation, he could not answer for their lives, unless they immediately retired. The Rev. Messrs. Wingfield, Daly, Pope, and Jameson, were obliged to scale a wall eight feet high, and escaped the attacks and insults of an infuriate rabble.

"*Mr. Clowry* asked if the meeting was adjourned, and for what period.

"*Chairman.*—The meeting is adjourned *sine die*.

"*Mr. Clowry.*—Then I am quite satisfied for the present.

"The Rev. Mr. O'Connell then ascended the pulpit, from whence the Rev. gentleman gave thanks to God for the triumph which had been achieved, and also returned thanks to Colonel Rockford for the manner in which he had contributed to it."

Since the institution of the Association, however, these heats and animosities were given up by the catholic clergy. They trusted their political interests to that body, and hence their readiness in contributing to the rent. He could assure the house, on his own experience, that the entire confidence of the Irish Roman-catholics was with the Association. Should this measure prevail as a law, the hopes of obtaining redress by constitutional means would be

at an end, and no man could answer for the extent or mischief of the consequences. While emancipation was withheld, they were not justified in resorting to measures of such severity, and therefore he would oppose this throughout.

Sir N. Colthurst said, that the Catholic Association was at variance with the laws and the constitution. The power of that body was alarming; their proceedings endangered the public tranquillity; they interfered with the arrangements of government with the administration; they affected a domination even in the conduct of affairs of private gentlemen. A person of great respectability had set his face against the collection of the catholic rent upon his estate. He received the following letter from the priest of the parish:—"Dear Sir,—A report is current here, that you have interfered to prevent your tenants from paying contributions to the catholic rent. May I, in the most respectful manner possible, request that you will give me leave to contradict, in the most positive way, a report so unworthy of you, as I am obliged, in the course of a few days, to render an account of those persons who are opposed to the collection of the rent." He could not but view such proceedings with alarm, and he trusted in the wisdom of government, which had done so much of late for the peace and welfare of Ireland, to put down the Association.

Colonel Davies would vote for the measure, if he thought the public safety required it, but he did not—he said, the catholics could not obtain civil justice in Ireland, and they looked to the Association to pursue it for them.

Mr. Dogherty said, that in his opinion the Catholic Association which now existed in Ireland, and had been so long carried on, was wholly irreconcilable with the spirit of the constitution. The alarm which that association had created in Ireland was deep, general, and, in his mind, just. It was not confined to any particular class of people; it pervaded the whole of the protestant body generally, and was not felt only by orangemen, nor by those who directly opposed the catholics alone, but by every man of sober, rational, and well-regulated mind, who, without any feeling of party, was satisfied that there existed just grounds for alarm in the proceedings of this Association. No one could doubt that this opinion was perfectly natural, nor that the direct tendency of the Association was calculated, by keeping alive the spirit of discontent, and by holding up to view angry and exaggerated representations of the state of the laws, to irritate the people against the government. Any man acquainted with the history of Ireland must know, that one of the greatest evils which had in all late times beset that country, had been the existence of delegated bodies. In England, the evil complained of, had been riotous mob-meetings, and then the standing laws in each country were found to be pointed against the evils which had been peculiar to each. The act of Charles II. was framed for the suppression of mobs in Ireland, while the laws for Ireland had been passed for putting down illegal associations, which were to the same extent mischievous and fatal to the public peace. Of all the

the assemblies which had ever yet been seen in Ireland, none had ever yet gone the length of the Catholic Association. It had been said that the house was as yet without any information as to the fact of the existence of the Catholic Association, and complaint had been made that his Majesty's ministers had not laid before the house such particulars as should enable it to form a proper opinion on the subject. In one respect at least this was unfounded, for the hon. member for Northampton (Captain Maberly) had said that he was present at one of the sittings of the Association in Dublin, and that he had observed no intemperance in the language of the speakers. All that he (Mr. Dogherty) could say on this was, that the hon. member must have been peculiarly fortunate. He (Mr. Dogherty) had read attentively all the debates of the Association in the papers which were considered its organs, from its commencement to the present time, and he would say that no body before this had ever presumed so far to violate public decorum, or to put forth representations of so inflammatory a nature. What was the tendency of these representations, if not to excite discontent? What was the intention of the assembly, but to frighten the government into a compliance with their demands? Was it by fair argument, or was it by intimidation, that they sought to compass their designs? Such an assembly would not be tolerated in England for one week; this, at least, he thought no one would deny. If, then, it would be dangerous in England, he begged leave to ask whether it would not be obviously far more dangerous

in Ireland. The very declarations of the assembly were directed to that which they well knew to be the state of the people, and to that irascibility which they sedulously endeavoured to promote. The hon. member then quoted a passage from one of Mr. Shiel's speeches at a meeting of the Catholic Association, in proof of the inflammatory style which was used by the orators of that body. He proceeded to say, that frequent allusions had been made to what was assumed to be the partial administration of justice in Ireland. In all the eulogiums which had been pronounced on the British constitution, there was no feature more noble than the fair and impartial administration of its laws. He was extremely anxious that all persons, all classes of the community, should partake of this advantage, and that none should be debarred from it. He would say, and the experience of some years entitled him to say it, without hesitation, that the catholics of Ireland did enjoy the fullest and fairest administration of justice. He stated this without the fear of contradiction from any Irish member, that the courts of justice were equally open to the rich and the poor, without distinction of religious sentiments. He was the more anxious to dwell upon this subject, on account of the imputations which had been cast upon the Irish courts of justice. The catholic body had, two years ago, intrusted their petition to the able and eloquent member for Winchelsea (Mr. Brougham.) Upon that occasion the hon. and learned member said, that he was sent into the house briefless, and that facts there were none. Upon the

the present occasion, if he should stop here, the hon. and learned members might say, that his (Mr. Dogherty's) statement was of the same description. He would therefore proceed from assertion to proof. The minutes of the evidence given before the committee appointed for inquiring into the state of Ireland, had been laid on the table of the house, and would in a few days be in the hands of all the members. From this evidence he should shortly state some few points. In the first place, Mr. Blackburn, a gentleman of many years' experience, and who enjoyed a high character for intelligence and uprightness of conduct, had been examined. He was asked how far, in his opinion, the administration of justice in Ireland was pure or not. His answer was, that he believed justice was purely administered. The next witness was Mr. Bennet, who had been a King's counsel for 18 years, and whose experience was very extensive. He coincided entirely with the opinions expressed by Mr. Blackburn. The third person examined was a gentleman of the greatest respectability, and who had held a high judicial office. Mr. Justice Day was requested to answer, whether, from the observation he had made, he believed that the people had as much confidence in the administration of justice in Ireland, as in this country; and this question was explained as not referring to the superior courts of justice, but to the local administrations and to the juries of which they were composed. Mr. Justice Day answered, that in his opinion justice was every-where fairly administered in Ireland. On the circuits

before him, the juries were fairly composed of both catholics and protestants, and in equal proportions. The grand juries generally contained a majority of protestants, because the catholic gentlemen who were eligible to serve on them bore only a small proportion to the protestants of the same class. The hon. member begged to call the attention of the gallant colonel (Davies) to this fact, because it would serve to explain a circumstance to which he had alluded respecting the small proportion of catholics who held offices in Ireland. Mr. Justice Day was then asked whether he thought that catholics and protestants acted together in so much of the administration of justice as was intrusted to them, impartially, and without reference to either of their religious sentiments. "Oh! Lord," replied the judge, "religion never enters into their minds at all; nor does it infect their opinions." He was asked again whether this observation applied to every part of Ireland, and his answer was, that he never yet had the misfortune to meet with any mixture of religious opinion which had precluded the administration of justice. "God grant," continued the hon. member, "that no future judge may have to say, that his experience has led to a different conviction; but this is, I fear, too likely to happen, if the Catholic Association should be allowed to continue." He would ask the house, whether they thought that a public body like this Association ought to be allowed to exist?—whether, in the prevailing fashion of the day, a joint stock company, for the purpose of carrying on prosecutions, should be permitted

mitted? He was sure that if the administration of justice in Ireland required to be purified, it was not by such means as this that the object could be effected. A case had recently happened within his own experience, which showed the mischievous tendency of the Association. A transaction had taken place, which the Association undertook to investigate; and after they had done so, they pronounced it to be a fit subject for an action. They directed an action to be brought; and it had, in consequence, been commenced. That action now stood for trial in one of the most catholic counties of Ireland. The gentleman against whom it was brought was a protestant; and although the general proportion of catholics to protestants had been calculated to be six to one, yet in the district of which he was an inhabitant, it was at least ten to one. It was, therefore, more than probable, that the action would be tried by a jury composed of ten catholics to two protestants, with the opinion already expressed by the Catholic Association—that the action was one which ought to be tried. Was not this, he asked, a circumstance calculated to excite in a very high degree the prejudices of the jury, and the more so when it was remembered that a high and distinguished prelate had said, that the catholic who was not with the Catholic Association, was against his religion and against his country. He should not contest the point of the Association being constitutional, because no person had yet ventured to assert that it was constitutional. But even if it were, he had the highest authority for

saying, that even although the Association were legal, its legality would not justify its abuse. He would ask, whether it was not altogether an abuse? The Association had ostensibly announced the object of their assembly to be for the purpose of petitioning; they sat from February to July, and they had done any thing but petition. They had endeavoured assiduously to inflame the people; they had travestied the forms of this house; they had appointed a committee, had received reports, and had investigated and pronounced upon what they considered to be crimes. All that was wanted to render the parody at once complete and mischievous was, that they should levy taxes—and had they not now done so? The house was told these taxes were voluntary contributions. Those persons must, indeed, know little of Ireland, who could be brought to believe that there was such redundant wealth in Ireland, as to afford any voluntary contribution. Could, he asked, any engine so powerful be brought to bear upon the feelings of the people from whom this tax was collected; as the influence of the catholic church? And had not that influence been directed in all its force to this purpose? There ought not to be two parliaments sitting at once together—and was this association not, in fact, a parliament, sitting weekly, and deliberating upon the affairs of Ireland? If, indeed, they said that they represented the people of Ireland, they would then fall within the provisions of the convention act. They said, therefore, that they only virtually represented the people—that they were

were not appointed, but adopted by the catholic population; while, in fact, they were for all mischievous and bad purposes as much representatives as if they had been actually appointed. He, for one, would rather, if this Association must exist, that the security of election should be placed round them. The catholic committee was appointed in this way, but that had been decided to be illegal; if that was not permitted, *a-fortiori*, the present association ought not to continue. Mr. Dunn, who had been a member, not of the Catholic Association, but of the Catholic Committee, said, in his evidence before the committee, that he disapproved of many of the proceedings of the Association, on account of their intemperance; and he believed that feeling to be very general. He (Mr. Dogherty) believed so too, and that every dispassionate catholic must see the danger and inexpediency of countenancing the operations of the Catholic Association. Retired and private individuals were afraid to enter into a contest with the Association, which had in many instances acted most tyrannically. But it was said, that though the Catholic Association could not be defended on legal and constitutional principles, yet they had done something which entitled them to favourable considerations—namely, that they had tranquillized Ireland. That Ireland was tranquil, he knew; and he likewise knew that the Association existed; but he could not discover any immediate connexion between the two facts. In his opinion, it had been the wise and temperate measures of the illustrious nobleman at the

head of the Irish government, that had won the country to tranquillity. But what did the argument that the Association had restored tranquillity to Ireland lead to? Suppose that emancipation should not be granted to the catholics—would it be suffered that the Association should have it in their power to excite domestic troubles? Were the members of that body to be allowed to tell the people of Ireland, that six millions of united men could not be subdued—that they would find in every field a redoubt, in every mount a fortress of strength, and that they would shake off their oppressors like “dew-drops from the lion's mane?”

Mr. Dominick Browne was of opinion, that whatever alarm the Catholic Association had created in this country, it had done more to advance the catholic cause than any thing which had taken place during the last twenty years. He did not think that any danger would be removed by passing the bill. The danger was not in the Association in itself, but because it represented the grievances of the people of Ireland. If the bill should pass, it would only have the effect of changing the shape of the danger. He did not mean to say that the people of Ireland would be driven to rebellion. He knew, from his own observation, that the Roman-catholics, from the highest of the body down to the meanest peasant, were perfectly convinced that the strength of their cause consisted in their submission to the will of parliament. He was speaking only of the present moment; but disappointment must produce disaffection, and disaffection in Ireland would

would now be a more serious matter than it was 20 years ago; for since that period the people had become richer and better educated. He was satisfied that if the system of coercion should be persisted in, parliament could not stop with a bill for putting down what were called illegal assemblies, but must pass a perpetual insurrection act, and maintain an army of 100,000 men in Ireland; and after all, that would be insufficient. The people of Ireland at the present moment were full of hope; and it behoved the parliament and the people of this country to take care that it be not disappointed.

Mr. W. Williams remarked, that of all those who spoke in favour of the Catholic Association, not one went the length of completely justifying it. For his part, he looked upon that body as being most inimical to the interests of Ireland. He conceived that the putting down of the association would be most beneficial to Ireland.

Mr. R. Martin would not give his assent to the bill, because he foresaw that it would fail in its operation. At the same time, however, he did not approve of the conduct of the Catholic Association in many particulars.

Mr. Warre believed that the diseases under which Ireland laboured, required a remedy very different from that proposed by the present bill. Let the Catholic Association be put down, as it might in name,—in spirit, not a week could elapse before it would be renewed.

Mr. C. W. Wynn supported the bill, not because it put down the Catholic Association, for he would make no difference between catho-

lics and protestants, but because it put down associations generally.

Mr. Calcraft opposed the bill, and thought the Catholic Association had as good a right to raise funds as the Bible and methodist societies.

Mr. Plunkett delivered his sentiments in a speech of very considerable length; he was confident of the absolute necessity of putting down the association, that the association itself would not soon be able to allay the storm it was raising.

Mr. Tierney opposed the bill. After which the debate was adjourned, at a quarter before two o'clock, to Monday next.

House of Commons, Feb. 14.—The house resolved into a committee of supply.

Sir George Clerk stated several reasons which had operated to swell the estimates of this year beyond those of the last. A small addition of force was required in consequence of the rapid increase of our foreign commerce. This want was especially felt in the South American seas—not only to repress the pirates at Cuba, but to protect the interests of British merchandise in the neighbourhood of the infant states, whose rights being but recently recognized, might still become subjects of conflict. Another increase of expense had been created by the advance in the price of commodities used in the service, especially the article of iron, which had more than doubled since the parliament met. But the chief additional expense had been incurred in consequence of some wholesome and beneficial alterations in the victualling system. The banyan-days were abolished. It was felt that

the quantity of ardent spirits allowed was inimical to the well-being of the navy. Many experienced officers attributed the offences which usually led to the exercise of the rigour of the discipline to the second allowance of grog. A saving was effected on this article, which was given to the men for pocket-money, paid monthly on the stations, wherever they might be, at 2s. per month, to petty officers and seamen. The commissioned officers took no additional allowance for the reduction. The men were also served with tea. Provisions had risen with all other commodities. Under these circumstances, the expenses would amount to about 42l. per man. He then moved that the services of 29,000 men, including 9,000 marines, be granted.

Sir J. Yorke wished to hear from some of his gallant friends who had served, how the new plan worked in the navy. He doubted of the plan of commuting tea for grog. What could be expected from that herb which was little else than clover-dust? He feared that the objections to serving in the navy would not be done away among the old seamen by a diminution of their grog. At present there was nothing to fear, and he hoped that the time might never arrive when it would be necessary to collect them together in large fleets: but if it should, might they not look back with regret to the ancient system of victualling? He did not say that it would be so, but he wished for explanation.

Sir G. Cockburn had great pleasure in giving his gallant friend that explanation. The new system worked surprisingly well. The admirals and commanders on the

stations found the greatest advantages from it. It was hailed with three cheers by the crews of many of the ships on receiving the information. It seemed to be a theme of great and universal delight throughout the service. His gallant friend had made a mistake. The tea was not given instead of grog, the tea and the grog had nothing to do with each other. The men were paid in pocket-money all that was taken away in grog, and they had the tea besides. One of the greatest evils of the grog system was, according to the experience of those most capable of judging, the frequency of desertion to which it led, one of the greatest and sorest evils to the service. But nothing deserved more praise than abolishing the banyan-days. The sailor was entitled to a pound of beef per day. He used to receive, instead of six pounds of beef, two pounds of flour and four pounds of pork, and then he was told that he had six pounds of beef. He now received that which was properly due to him under its right name. No one of common sense who had compared the two systems could scruple a moment as to the preference.

Sir I. Coffin was surprised that his gallant friend should object to that healthful beverage tea, and nickname it brick-dust,—not brick-dust, but clover-dust.

Sir J. Yorke had only asked for explanation, and was satisfied with that which he had received.

Mr. Hume hoped that the system would receive further ameliorations until it would be no longer necessary to have recourse to that most intolerable oppression of impressing men for the service.

Sir F. Coffin thought that the

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hon. gentleman could not be serious in expecting to raise men enough for a hot war without impressing some.

Sir G. Clerk said that there was no difficulty experienced or in any way apprehended as to raising men, more than would be wanted for the service.

The resolution then passed, as did also another resolution, for granting the sum of 923,750*l.* for wages for the men.

The sum of 3,300,000*l.* was voted for victuals for 29,000 seamen, for the ensuing year.

The next vote was for 320,420*l.* for the wear and tear of his Majesty's ships of war for the same period.

The next was a vote of 94,250*l.* for ordnance for the sea-service.

Mr. Goulburn moved the order of the day for resuming the adjourned debate on the question "that leave be given to bring in a bill to amend certain acts relating to unlawful societies in Ireland."

The *Speaker* having put the question, a very lengthened debate followed in which the arguments produced upon both sides very much resembled those of the preceding nights. The question was again adjourned at a quarter before one.

House of Commons, Feb. 17.—*Lord Louther* rose to move for the appointment of a committee to inquire into the management of the turnpike trusts in the vicinity of the metropolis. The object which he had in view was to secure a better management of the funds received for toll on the different turnpike trusts than at present existed. He entertained an opinion; founded on facts which had come to his knowledge, that the turnpike

roads in the neighbourhood of London might be kept in a better state than they were at present, if even one-sixth of the money collected at the turnpike gates were expended in a proper manner. There were many circumstances connected with the present system of turnpike trusts which required to be corrected. The house would perhaps hardly believe, that for three roads on the north of London, extending only three miles and a half, there were three acts of parliament, three sets of commissioners, and ten turnpike gates. In a return which had been presented to the house respecting the Stamford Hill trusts, he found a considerable sum charged for annuities. He did not understand what this meant; but upon making inquiries, he ascertained that the trustees had been in the habit of borrowing money from each other, at the rate of ten per cent., to be paid by way of annuity. In Bishopsgate Street, again, a gate was set up, in order to obtain tolls to defray the ordinary expenses of the parish, although there was no more pretence for making that street a turnpike road, than any other street in London. The fact was, that very great abuses existed under the present system; and it invariably happened, that where the largest sums were received for tolls, there the worst management prevailed. It was the common practice for the treasurer, who was usually one of the trustees, to retain large balances in his hand. To show what benefit might be expected to result from such an inquiry as he proposed, he could inform the house, that since the discussion had taken place in that house respecting the Kensington trusts,

trusts, the trustees had taken the money out of the hands of the individual who had formerly acted as treasurer, and placed it, in a respectable banking-house, not in any way connected with the trust; in addition to which, they had paid off their debt, and reduced the tolls. It appeared that no less a sum than 22,000*l.* was collected annually at the gates between Hyde Park-corner and Hounslow. How could that money be fairly expended? He expected to meet with much opposition, but he was sure that the house would do its duty by correcting abuses, if he could prove that they existed. The noble lord concluded by moving, "that a select committee be appointed to inquire into the receipts, expenditure, and management of the several turnpike trusts in the county of Middlesex."

Sir E. Knatchbull was of opinion that the noble lord had made out a case which merited the consideration of the house. He would not object to an investigation of the subject, but would oppose any attempt that might be made to throw the turnpike trusts into the hands of government.

Mr. H. Sumner concurred with the honourable baronet in thinking that inquiry was necessary, and he hoped those persons who should be proved to have misconducted themselves, would be punished.

Mr. Hume was extremely glad to hear the honourable member for Surrey express his assent to the motion. His personal wish had been for a long time to see every turnpike within three miles of the bridges removed; and he believed that, by a very small tax laid upon horses, the object might be accomplished. There were turn-

pike actually at this moment on the stones, in the very centre of town. No less than 200,000*l.* had been levied within the last year by the several turnpikes within ten miles of London; and, for every purpose that the money could be legitimately applied to, 60,000*l.* would have been abundantly sufficient. The hon. member then moved as an amendment, that the inquiry contemplated should apply to all trusts within ten miles of the metropolis.

Mr. Maberly concurred in the view of the noble lord (Lord Lowther), and believed that an immense deal of money, through his proposition, might be saved to the public.

Sir T. Baring decidedly supported the inquiry. A million and a half of money was annually levied in England by turnpikes, all to be disposed of by irresponsible persons. When hon. members saw the names of fifty or a hundred respectable gentlemen to a road bill of ten miles, this seemed to afford some security for the proper application of the money collected. It amounted to no pledge at all; the names were merely those of persons who lived upon the line; not one in twenty ever attended to the matter at all, which was, in fact, conducted by a few (very often interested) individuals. The honourable baronet sat down by declaring, that as soon as investigation was made, he looked for nothing less than a total alteration of the present system.

A short conversation, as to the advantage of the amendment, took place between *Mr. T. Wilson*, *Mr. Holme Sumner*, *Mr. Bennett*, *Mr. Hume*, and *Sir Edw. Knatchbull*.

The amendment was then agreed to,

to, and the committee of inquiry appointed.

Mr. Serjeant Onslow rose to move the order of the day for the usury laws' repeal bill.

Mr. Calcraft, as the hon. and learned gentleman persevered in his annual bill, felt compelled to do the same by his annual opposition. Surely, he should have thought, the present state of the money-market, where every man who wanted capital could obtain it on convenient terms;—this fact alone might have been a sufficient answer to any proposal for altering the law. He admitted the general principle of leaving men to do as they pleased with their own property; but this was not a rule without an exception. Look at the building act, which compelled men to raise their houses after a particular fashion, or not at all. Again, the law with respect to gaming and gaming houses—that law said that a man should not do as he pleased with his own money. He might not lose it at play, nor might he open a house with it, in which others might lose their money. If men might be left to use their own property as they thought fit, what did the measure mean which one of the wisest persons in the kingdom was introducing, to repress that species of wild speculation of which so much had lately been on foot? While Lord Eldon was bringing in a bill to restrict men's using their money in one way, the learned serjeant opposite was calling to take off a law which restrained them in another. What became of the Bubble Act, if men might make what market of their capital they thought proper? The hon. gentleman sat down by contending that the

weight of evidence before the house was decidedly in favour of continuing the law.

Mr. Hume disagreed entirely with the hon. member for Wareham as to the wisdom of the bill which a certain noble personage was introducing. He admitted that there had lately been some tricks practised by persons high in rank, of first undertaking schemes, then getting rid of their interest, and leaving the community to suffer. He deprecated such practices most deeply, and thought that any man of honour did an act unworthy of himself who lent his name or credit to speculations of the kind: but still he did not think that the Lord Chancellor's bill would pass the house of commons. For the plea that the country had thrived under the usury laws, so it had done under the operation of twenty other principles which were now acknowledged to be erroneous. How would hon. gentlemen like the price of any other commodity to be limited, as they wished to limit the value of capital? Suppose a law passed that no land should be let for more than 15s. an acre, what would the hon. member for Wareham say to that? He (*Mr. Hume*) felt quite certain that the existing restrictions could not continue.

Mr. John Smith said, that the argument of the state of the country was one which, with him, had no weight at all. The same plea might have been resorted to in the discussion which was just over, about turnpike tolls; it might have been said, the roads are excellent, the country flourishes, why do you ask an alteration? Money, like every thing else, would find its value; and the man who wanted it, if he

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did not pay in one shape must pay in another. As the law stood, many a tradesman was compelled to sell goods at a loss of ten per cent., because he could not give six for the loan of the sum he wanted. Nothing was more common than when a man had a bill coming due, for him to offer the holder five—ten guineas, to keep the bill for a week; and yet it was said that the existing law, which was evaded every hour, protected the smaller commercial interests. The measure before the house might be thrown out this session: but, like the catholic emancipation and the repeal of the test act, it would surely be carried in the end.

The Solicitor-General rose to move that the bill should be read that day six months. The hon. and learned gentleman then proceeded to contend, that if the laws regulating the interest were repealed, the landed interest could not obtain money at the same low rate which they now did. The merchant got his advances cheaper, because it was known that he could turn that money to account, and make it productive, and repay his loan in a short time, but the landed interest required a longer time to pay their advances. Was it to be expected that the money-lender would, under such circumstances, lend to the country gentleman in preference to the merchant, at the same rate of interest? If he lent at all, there was no doubt that he would require a much higher rate of interest, not only than that paid by the merchant, but than what was now legally allowed. But there was another class of borrowers who would be still more severely affected by this proposed repeal.

He meant those who could give only personal security. The rich man might supply his temporary necessities at a comparatively cheap rate; but the man in an humbler class of life must take his loan at whatever price the lender might choose to fix upon it. Every man almost had occasion to borrow at some time, and every man who had only personal security to offer must have felt the pressure of the money-lender's high demands. If there was any member of that house who, before he came into it, had ever occasion to be in debt with his tailor, he must, if he has a scintilla of recollection, remember that for so much he was an involuntary borrower, and that he had to pay a rate of interest great in proportion as his necessities were known. But there was another objection to the removal of the present laws for regulating the interest of money. It would have the effect of making capitalists engross the profits of most profitable trades, without incurring any of the risks of partnership. If a man could get 10 or 12 per cent. for his money by lending it on good security to a person engaged in a profitable trade, he would not become a partner in the trade, where the whole of his property would be liable in case of failure to the partnership debts. He would rather lend it, and then he was sure of a certain portion of the profits, if the trade succeeded; and if not, he would have a guarantee for his money advanced, to the prejudice of all other creditors. He would take the case of a brewery:—A capitalist might embark his 50,000*l.* or 60,000*l.* as a loan on good security, at 10 or 12 per cent. in it. The profits of trade would

would be perhaps 20 per cent. He would thus secure more than half the profits of the trade without the risk; and if the trader failed, the other creditors must be the losers. This showed not only the great inconvenience, but the evil of the proposed change. Looking at all the consequences which must attend such a change, he felt it his duty to move, as an amendment, that this bill, so unpropitious in point of time, and so pernicious in principle, be read a second time this day six months.

On the amendment being put,

Mr. Sergeant Onslow observed, that of all the arguments which could have been used against this measure, that urged by the learned gentleman who last spoke, with respect to the comparative facilities of obtaining loans by the merchant and the landholder, was the weakest. It could not be denied that the best and readiest security which could be offered for money at the present day was land. The fact was, that money could be at all times obtained, on good security, at its fair market value. It was to reduce it to that value, or to prevent its being carried higher than that value allowed, that the present measure was introduced. The land-owner and the merchant could now obtain it at its fair price, but as to the person who had no security to give, he did not know any change of the law which could put him into a better situation with respect to the terms on which he could obtain a loan, than he was at present. The learned serjeant then proceeded to contend, that on the ground of good policy, there was no just cause for continuing the present laws. We had, he observed, been in the

habit of lauding the wisdom of our ancestors; but that wisdom did not introduce any law for fixing any rate of interest for money till the reign of Henry VIII. This act was repealed in the reign of Edward VI.; but the statute of Henry VIII. was renewed in the reign of Elizabeth. But it was the opinion of the ablest men in that and the preceding reign, that no interest ought to be taken for money. So much for the wisdom of our ancestors. Since those days, however, the principles of commerce were better understood, and a value was fixed upon it. That value, he should contend, ought to be left to the effect of competition in an open market, without any legal restriction whatever.

Mr. Robertson opposed the proposed repeal, and contended that, according to the experience which we had had, it would be highly impolitic to do away with a fixed rate of interest. Such a principle was at variance with the doctrine of Adam Smith, which it had of late been too much the fashion to condemn. He then proceeded to show, that according to the practice of most civilized nations, a rate of interest was fixed for loans of money, and that in proportion as those laws were relaxed, the prosperity of the country declined.

Captain Maberly supported the bill, because he considered the present system of law to be unjust, impolitic, and open to constant evasion.

Mr. C. Wynn had so often stated his sentiments to be favourable to this bill, that he should not have risen that night to say a word in defence of it, had it not been for the allusion made by the last speaker to the absence of his

hon. colleagues. He believed that all of them, except the learned gentleman who had moved the amendment, considered the bill as one which would greatly advance the public interest. His right hon. friends, the chancellor of the exchequer, and the president of the board of trade, had on more than one occasion publicly defended the policy of it; and he was confident that all his colleagues, with the exception, perhaps, of the right hon. secretary for foreign affairs, who, to the best of his knowledge, had never taken the question into his consideration, were strongly in favour of it. They had left the house, because they anticipated that the division on the bill would not take place till a late hour, and that their presence would not be wanted to render the question successful. He had stayed behind at the request of his right hon. friend the president of the board of trade, to declare the opinion of ministers on this bill, in case such a declaration of opinion should be rendered necessary by any thing that occurred in the course of the debate.

Mr. Bright, in opposing the bill, observed, that he considered the absence of the whole body of ministers from the house to be inconsistent with their public duty. He was afraid to remove the penal system of usury laws, because he thought the removal of them would diminish the comforts of the middle and lower classes of the community.

The house then divided, when there appeared—for the bill, 40; against it, 45; majority against it, 5.—The house then adjourned at twelve o'clock.

House of Commons, Feb. 15.—
Mr. Goulburn moved the order of the day, for resuming the debate on the Catholic Association.

Sir R. Wilson thought the association should be put down, but did not approve the present bill: he thought emancipating the catholics the best method of annihilating the association. Was England ever in a better condition of power and advantage to grant a boon of this nature than at present? Let the house reflect on the repetition of those claims for the last twenty-five years; that they were the rights of six millions of people; that the laws complained of were of incredible absurdity and cruelty. Every member did not know that a catholic priest was subject to the penalty of death for marrying a protestant woman to a Roman-catholic, and that the parties must give evidence against the benefactor of their affections on pain of three years' imprisonment. When the catholics were low in the power of opinion, they were taunted with the fact—the people were said to be opposed. They went to work, and proved successfully that their claims were abetted by the intelligence, the wealth, and the numbers of the general population. Now they were no longer disposed, nor was there any attempt, to do them justice; but the force of opinion which they had collected in their favour was deemed formidable, and they were to be put down, because they succeeded in disproving the assertion that their advocates were inconsiderable. At the present moment this country was in a state of profound peace. Was this the way to perpetuate

petuate it? Was this the time to bring forward a measure so obnoxious? Would they consume, with the brand of party, the tree of their hope, and plant in their stead one that would produce the bitter fruit of discord? When they had disavowed the slavish doctrines of the holy alliance; when they had acknowledged the independence of South America; when they had in various instances showed a praiseworthy spirit of liberality; it was deeply to be lamented that so much pains were taken to lower this country in the eyes of Europe, by the adoption of measures that could only lead to internal discord, and which were wholly at variance with the foreign policy that had been pursued. If war should unfortunately take place, would not coercive measures of the nature now contemplated, which estranged the hearts of the people, produce the most deplorable consequences? In that case, he would ask gentlemen, if the standard of rebellion were unfurled, would it be the same that they formerly saw raised on the mountains of Wicklow, and at Tarah-hill? The Roman-catholic clergy were hostile to the rebellion, because they believed it to be connected with the principles of the French revolution, and they knew that those principles were inimical to their interests. The Roman-catholic nobility and gentry were also adverse to that insurrection, because they believed that by a long succession of peaceful and tranquil conduct, they would be enabled to realize their dearest hopes, by a series of legislative enactments. But now the minds of the Roman-catholic clergy, nobility and gentry

were embittered; and if the standard of rebellion were raised, though they would not stand forward to join it, yet the fact that they had supported the association, the destruction of which had goaded the people to madness, would be a stimulus of no common power. He was not the advocate of catholic dominion. He abhorred the use which catholic states too often made of their power. He saw, with terror, the abuse of catholic power in Spain, in France, and in Belgium. In France, a ferocious and abominable law had recently been proposed—a law, which pointed out those who brought it forward as demons who delighted in cruel and sanguinary punishments. In Belgium, efforts of an arbitrary and bigoted nature had been attempted; but they had a king there whose wisdom and justice would not admit of such arbitrary encroachments on the principles of civil liberty. In this country, however, what was to be feared from the catholics? With an established church, intimately connected with the state; with an immense body of dissenters; and, above all, with the assistance of a free press, what had these realms to dread from the power of the catholics? He was not fighting the catholic battle, but his own battle—the battle of all the dissenters—the battle of civil and religious liberty. He disliked the term “catholic emancipation;” it was too narrow a phrase, since, in the abstract, the measure so called tended to repeal the disabilities of all dissenters, of whatever denomination, in this country. Those, therefore, who supported that measure, were not fighting a partial

a partial battle, and ought to receive the support of every man who was friendly to religious freedom. Many persons, he believed, opposed the emancipation of the catholics, not because they disliked catholic emancipation, but because they were afraid it would lead to the repeal of the test acts, and they dreaded any increase of the power of the dissenters. They cared nothing about the catholics; but they held in terror, not merely the religious, but the civil and political opinions of the dissenters of this country. It had been said that the people of England were hostile to this measure. He did not believe it. They were too enlightened not to know that there could be no civil without religious liberty. He appealed, therefore, to their generous feelings, to do justice when it had so long been denied. Nay, he would appeal to their alarm. If, unfortunately, war should break out, and discontent were suffered to remain amongst the population of Ireland, how direful might be the event? We might see our commerce crippled, and our vessels carried under the mouths of cannon planted on the coast of Ireland; it might at last become a contest "*pro aris et focis*." Convinced that this measure would do incalculable mischief, he should constantly raise his voice against it. In opposing this measure, he was sure he spoke the sense of his constituents; but, even if it were otherwise, a plain and manly exposition of his sentiments was certain to procure their esteem.

Mr. Lockart, Mr. Banks, Sir R. Brydges, and Mr. Grenfell, spoke against the association, but in favour of emancipation. *Sir J.*

Newport defended the association. Generally they thought the peace of the empire, and the union of Ireland with England, depended upon the emancipation of the catholics.

Several members afterwards spoke, among whom were *Mr. Canning, Sir F. Burdett, and Mr. Brougham*, after which the house divided, and the motion was carried by 278 against 123.—Adjourned at half-past twelve.

House of Commons, Feb. 18th.—On the motion of the *Chancellor of the Exchequer*, the house resolved itself into a committee of ways and means.

In the committee, the right hon. gentleman, moved that the sum of 5,000,000*l.* remaining in the exchequer, should be applied to the service of the present year; that the sum of 20,000,000*l.* be raised by exchequer-bills, for the present year; and that the sum of 60,000*l.* paid into the exchequer by the East-India Company, be also appropriated to the service of the present year.

The several motions were agreed to. The house resumed. Report on Monday.

Mr. Brougham moved, that the Catholic Association be heard by council at the bar of the house. The debate was carried on by *Mr. Brougham, Sir F. Burdett, Mr. Wynn, Sir J. York, Mr. Hobhouse, the Solicitor General, Mr. Peel, Mr. Spring Rice, Sir J. Sebright, and Mr. Scarlett*; after which, the motion was negatived by 222 against 89. Adjourned at half-past one.

House of Commons, Feb. 21.—*Sir G. Clerk*, in bringing forward the navy estimates, observed, that, on the extraordinaries of the navy,

navy, there was an increase in the present year, as compared with the last, of 120,000*l*. This arose from the enhanced price of materials, and from the additional expense of wear and tear. On the ordinary estimate, there was an increase of 80,000*l*. in consequence of a very considerable addition having been made in the wages of the artificers employed in the dock-yards. For the last four years they had been restricted to five days in the week instead of working during the entire six. They were now, however, employed throughout the six days, which sufficiently accounted for the increased expense. The sum voted last year was 460,000*l*. This year about 540,000*l*. would be necessary. On the half-pay, pensions, and superannuations, there was a reduction. It would have been greater; but some of the items, which were formerly placed to another account, were now, under the act of last session, charged on the estimate. A considerable sum was charged for carrying on several of the new works on the coast. Amongst these, one of the most prominent was the docks at Sheerness. For the first time they were called on to provide for the building of store-houses and officers' houses in the new yard. Formerly the charge was made for carrying on works, which were nearly finished, and it was not intended by the admiralty to have gone on any farther; but an offer was made to them by the architect, that if he were permitted to proceed more rapidly, and to use the materials and machinery he had on the spot, he would be enabled to finish the new works in a short period, and at a reduced

price. It was estimated that 50,000*l*. would complete the undertaking. The architect was to receive 400*l*. a year, and to be allowed 3½ per cent. on any money he might advance, should it be found necessary, beyond the 50,000*l*. The sum of 795,000*l*. which stood in the first column of the estimate, might be considered sufficient for all the works. There was an increase on the estimate for the works in progress at Plymouth Sound. Independent of the ordinary works, they were building a light-house there, and it was necessary that that part of the break-water which adjoined the light-house should be built more substantially than the other portions of it. It was necessary that it should be built of solid materials, and of a large size, to remove any apprehension of danger from the violence of the sea. This was the reason why there was so large an addition to the sum necessary for completing this great national undertaking. It should also be observed, that the break-water had received some damage from the hurricane of the 23d of November last. But it was satisfactory to be enabled to state, that the mischief was not of any very considerable extent. That great national work proved, on that occasion, that it was perfectly suited to effect the object for which it was erected. To prevent the possibility of its sustaining any injury in future, it would be finished in the most substantial manner. It was now very nearly completed, and, when finished, even with this additional charge, would come within the amount of the estimate laid before the house in 1812. The estimate, before

before the injury from the gales, was 286,000*l.*, it would be now 295,000*l.* Some alteration would be made in the buildings connected with the victualling department, &c. at Plymouth. At present, those establishments stood at opposite sides of the harbour. The establishment at South Down, where the brewery was established, was very far removed from the ships, and was only accessible at particular times. This was an inconvenience which the admiralty meant to remove. The establishment was not built on ground the property of the crown, but was held by lease, which lease was now nearly expired. It was intended to purchase it, and to rebuild the old houses, as had been recommended by Earl St. Vincent when he was at the head of the admiralty. It was also in contemplation to build a sea-wall, for the greater security and convenience of shipping. The expense altogether would amount to about 40,000*l.* He concluded by moving for the sum of 54,886*l.* to defray the salaries and contingent expenses of the admiralty office for the year 1825.

Mr. Hume could not understand why so large an expense was incurred on account of the navy. If the promises held out by those who were at the head of the government, in former years, were worthy of the smallest attention, that expense ought now to be very sensibly diminished. The house might imagine, because there was only an increase of 200,000*l.* this year, and 200,000*l.* last year, that therefore the matter was not deserving of their attention—that it was of no importance. But they ought not to view the estimate in

that light; they ought to look to what its general amount was, and to consider whether that amount was really necessary. In 1816, a committee was appointed to examine into, and estimate the probable expense of the navy for that and subsequent years, and they made their report to the house accordingly. And now, in the year 1825, instead of the aggregate amount of the expense being reduced, it was actually greater than it was in 1817. So that, though a reduction was made in one or two years, they were now increasing the charge very considerably. In 1817, the estimate was 5,242,000*l.*, this year it was 5,980,000*l.* Unless the world at large were at war with this country, there could be no necessity for such an enormous expense. They had been told, and they had a right to expect, that a very great decrease would be effected in a most important article—namely, the half-pay and allowances. But, so far from that expense being lowered to the extent of which hopes had been held out, from 5 per cent. to 7 per cent., it was actually now very nearly as great as when the proposed reduction was intimated. He thought there was something very extraordinary in the system of keeping up half-pay and allowances on so extensive a scale. He had no hesitation in saying that the system was decidedly bad. Why did not his Majesty's ministers bring back to the service persons who were on half-pay, whenever vacancies occurred? Promotions were now as frequent as ever, with the exception of the conclusion of the war, when a great number of promotions were gazetted. The secretary of the

the admiralty had declared on a former occasion, that whenever a vacancy occurred, it should be filled up by individuals on half-pay. He hoped the hon. secretary would lay on the table a list of the vacancies which had occurred during the last few years, and show how many of those unfortunate individuals, who were on half-pay, had been brought back to full pay. He feared the number would prove very small indeed. In 1817, the half-pay list amounted to 1,146,600*l.*—it had gone on increasing—and was, in the present year, 1,387,692*l.*; the reduction, as compared with the preceding year, was only 38,000*l.* In a few days he would move for an account of all the promotions which had taken place in the last year, which would enable the house to judge of the extent of this evil. From the rapidity with which promotions were made whenever vacancies occurred, he feared they were not likely to see any great reduction made in this branch of the expenditure. Two years ago, the reductions effected by his Majesty's ministers seemed to be dictated by a proper spirit—that of giving relief to the country at large: but they appeared to have lost sight of that object, and no reduction had latterly taken place. He thought, therefore, that it was better for the house to look at the aggregate amount of the estimates, rather than to consider the details at the present moment. They ought to say, distinctly, “so much is sufficient for the service of the country, the remainder must be reduced.” He considered their naval force at the present moment as entirely too large. Here was an estimate of 5,983,000*l.* for the navy. Was it possible, that in

time of peace a sum so enormous could be wanted? The South American States were so firmly established, that they were deemed fit objects for commercial treaties. In that quarter, then, no fleet was necessary; and he should be glad to know where any extensive naval force was required. The salaries now paid in the public offices were quadruple—nay, quintuple those which had been paid in any former peace; and unquestionably there was no necessity for such an increase of emolument. The amount of money expended at this moment for building ships was enormous. No less than 1,000,000*l.* a year was thus laid out. The honourable secretary for the admiralty had said, that not more than four or five millions had been thus expended during the peace: but the papers on the table contradicted that statement, and their contents would not be denied. They were throwing away a million annually, on the building of ships, which were rapidly falling into decay. We had already no less than 500 ships of war, a greater naval force than all the states of the world could command—why, therefore, should they go on building? They ought to cease from building new ships, and apply themselves to keeping in perfect repair the old ones. The newly built vessels were destroyed by the dry-rot. The hon. comptroller of the navy (Sir B. Martin) smiled at the idea of the dry-rot. It was the fact, nevertheless, that it was doing a great deal of mischief. The hon. comptroller, and others on the opposite side of the house, had stated that this evil did not exist to any great extent. But their statements were by no means borne out. If

he

he looked at the immense expense incurred for the repair of vessels, he would find that the dry-rot did very great damage to the navy. He would not go the length which some individuals did, and say that half the navy was useless, but he believed, from concurrent report, that more damage had been done to our ships of war since the use of unseasoned timber came into fashion, than was ever before known. Those who had the management of the naval department tried all manner of experiments to check the evil. One time, they used coal-tar, at another oil; then they covered the ships when building, and sometimes they salted the timber. They went backwards and forwards with their experiments, which afforded the best proof that they themselves did not know how to remedy the disease. He would ask, did they now use coal-tar, or did they apply oil, or, in short, did they pursue any settled system? They were changing their course of proceeding every four or five years; and he now submitted to the house, that the expenditure of upwards of 1,000,000*l.* a-year for the building of ships deserved much more consideration than had been given to the subject. The discovery of steam navigation had altered the nature of maritime warfare altogether. Come war when it might, the mode of warfare in the narrow seas would be very different from what it was at present. They were now expending a million a-year in building ships of war, and if a period arrived for the renewal of hostilities, they would not, perhaps, be used at all. It would be much better to cease from building ships for the next five years, and to

keep up in good repair the five hundred we already possessed. The whole of Europe had not that number of ships. Why not let the timber for the navy remain in the forests until imperious necessity called for it to be felled? The axe could be applied whenever it was really wanted. No man wished more than he did to see an efficient navy kept up, but he never could agree to the useless and extravagant expenditure of so large a sum of money. He saw a considerable sum charged for the improvements in dock-yards and wharfs. He was surprised at this, after what had fallen from the hon. member for Harwich (Sir G. Warrender). That hon. member had stated, that if he had been aware, three or four years ago, that ships might be easily conveyed from Chatham to Sheerness by the means of steam-boats, which could tow them up and down, the sum expended on Sheerness should not have been laid out. Here, however, it appeared that the sum of 795,000*l.* was to be voted for works now in progress at Sheerness. When they had such a dock-yard as that of Chatham, and when ships might be carried up and down without delay, by means of steam-boats, he could not but view this establishment at Sheerness as most gratuitous and useless. If, at a period of war, when they had a thousand ships, they could do without this establishment, what could they possibly want with it now in a time of profound peace? There was also an enormous charge—a charge of 300,000*l.*—for works at Plymouth, which deserved the attention of the house. When sums of this magnitude were called for, parliament ought to have a little more

more detailed information than could be contained in a speech delivered at the table. He also observed a charge for the dock-yard establishment at Halifax. Why could not Halifax defray all its own expenses? There was no reason why the people of England should, from year to year, be burdened in this way. He wished to see the navy, which was, and deserved to be, the favourite service of the country, kept in the most efficient state; but he could not suffer what he conceived to be a useless expenditure, which would go on increasing, if it were not checked, to pass unnoticed.

Mr. Robertson said, when their commerce was increasing in every quarter of the globe, it was proper that a very large naval force should be kept up, for the purpose of protecting it. He contended that they ought not to cease from building ships, since they were necessary to the welfare and security of the country. The hon. member for Aberdeen had, in his opinion, recommended the most mischievous policy, on this occasion, that could possibly be devised. Formerly our commerce was confined to Europe, the Mediterranean, and the West Indies; but now there was not a country on the face of the earth where our ships were not at anchor. If, then, a new rupture occurred, was it not necessary that a great naval force should be ready to protect them? He trusted his Majesty's ministers would not shrink from their duty, but that they would extend the navy as much as possible, not only to repel the aggression of foreign powers, but to protect the immense commerce of Great Britain.

Mr. Hume said, he was as anx-

ious as any man to have the navy in an efficient state—in such a state that it might cope with the world; but the real mischievous policy of which he complained, was, the system of building ships merely to rot.

The resolution was then agreed to.

The sum of 29,633*l.* was moved for the salaries and contingent expenses of the Navy Pay-office.

Mr. Hume said, the expense of this office in a former period of peace was 12 or 13,000*l.*, and it ought certainly to be reduced.

Sir B. Martin said, at the time to which the honourable member referred, there was not the shadow of the business which was now to be performed. It was utterly impossible to execute it for a smaller sum.

Resolution agreed to.

The next vote was 56,760*l.* for salaries and contingent expenses of the Navy-office.

Mr. Hume thought there were too many commissioners in this department.

Sir B. Martin said, there was the same number of commissioners now as there had been in the time of the late war, and there was quite sufficient to keep them employed. There were, however, four commissioners less than in the American war. In 1786, there were seven commissioners. At that period, a commission was appointed to investigate the state of different offices, and amongst others, of the Navy-office. They reported, that seven commissioners were utterly insufficient for the business of the office; and, in 1789, it was recommended that the number should be increased to ten commissioners; and at that time there

there was not one-tenth of the business that was now performed. Since the peace, the whole of the transport department had been transferred to the Navy-office, by which the public saved 20,000*l.* a-year. The number of commissioners had been diminished, as compared with 1789, whilst their business had been increased. By the order in council, they might have three commissioners in each committee; but Lord Melville directed that there should be only two to each committee. It was impossible to conduct the business with fewer commissioners than they had.

Mr. Hume was of opinion, that the additional labour fell, not on the commissioners, but on those who were under them.

The resolution was agreed to.

The sum of 33,977*l.* was voted to defray the expense of salaries and contingencies in the Victualling office.

The next resolution was for 157,176*l.* for his Majesty's yards at home.

Sir Edward Knatchbull complained, that many shipwrights and other artificers were discharged from the dock-yard at Chatham, while none were removed from Portsmouth or Plymouth. The consequence of this was, that as the men could procure no employment, many of them, with their families, were thrown on the parish.

Sir George Clerk said, that at the end of the war, it was found that there was not sufficient work for all the men employed in the several dock-yards. To avoid the necessity of discharging them, in consequence, it was offered to continue them at such work as there

might be for them to do, but at a lower rate of wages. The men received this as a boon, and were very glad to continue in the dock-yards upon the terms offered them. In the course of last winter and the autumn, they expressed some dissatisfaction at the amount of their wages, and were told they were at liberty to seek employment wherever they could obtain better pay. Some of them did so, and the reason why this happened to have taken place in Kent, more than in Plymouth and in other places, was, because, on the men at Plymouth being told that they were kept in employment at the reduced wages only in order to keep them from the distress of being without work, they said they were content, and continued their places. As to the families of the shipwrights discharged from the dock-yards in Kent having become chargeable to the parish, that was their own fault; there was plenty of work for them to do in the private docks, but they had entered into a combination, and placed themselves under the direction of a committee, who fixed certain prices, which the masters would not give. He could assure the honourable baronet, that if all the shipwrights who were not absolutely wanted in the dock-yards, should be discharged, the distress would be much greater, and more general.

After a few words from *Sir E. Knatchbull*,

Mr. Huskisson said, he had reason to know, that there was, at this time, a great demand for workmen in the private yards, and that all the men who had left the public docks would have found employment there, but for the mischievous

mischievous spirit of combination which influenced them. Since the repeal of the combination laws, the workmen in this and other trades had committed such excesses, as, if they were continued, would compel the house to resort again to the former laws, the repeal of which, he feared, had prejudiced some very valuable interests, and had, in fact, been injurious to the workmen themselves. He knew that there were many persons now ready to give the workmen employment, and the statements of those persons placed the conduct of the workmen in such light, as made him feel more indignation than he now thought fit to express. If they had, in any instance, become burdensome to the parishes, it must have been through their own misconduct.

Mr. Hume was so far from blaming the government for the course which they had adopted towards the shipwrights, that he thought it extremely humane to keep them at low wages, until the revival of the merchant-trade should have furnished them with full employment. That time had now arrived. He was sorry to add, to what had fallen from the right hon. the president of the board of trade, that the conduct of the workmen, in all parts of the country, since the repeal of the combination laws, which he had laboured so much to procure, had been highly blameable. They had attempted to impose upon their masters, regulations far more arbitrary and degrading than those which they had themselves so much complained of. He hoped the recent successes of the masters who had withstood these attempts, would teach the workmen

that this ungracious and impolitic conduct of theirs would drive their best friends, in and out of that house, to wish for the re-enactment of the old laws.

The vote was agreed to, after a few words from Alderman C. Smith.

Sums of 560,000*l.* for the wages to artificers employed in the yards at home; of 538,806*l.* for the charge for timber; and for 40,000*l.* charge for pilotage, bounty for slaves, were then agreed to.

On the motion being put on the last of the above votes,

Mr. Hume asked, why the bounty on slaves was inserted?

Sir George Clerk replied, that it was under the act of parliament which ordered that money to be payable out of the funds which might happen to be in the hands of the treasurer of the navy.

Votes of 52,022*l.* 13*s.* 5*d.* for foreign yards,

73,572*l.* for victualling yards,

55,510*l.* 13*s.* 11*d.* for medical establishments,

6,252*l.* 12*s.* 7*d.* for the Royal Naval College, &c.

106,027*l.* 7*s.* 1*d.* for wages to officers, &c., belonging to vessels in ordinary,

54,787*l.* 4*s.* for victuals to officers, &c.; and

40,480*l.* for hired packets, were then agreed to.

On the last vote, *Mr. Hume* said, he hoped the chancellor of the exchequer meant to take off the charges which were at present paid on newspapers sent to and from the colonies, and make them, in this respect, similar to newspapers sent to Ireland and Scotland, which paid either none, or a very small charge for postage.

The Chancellor of the Exchequer

quæ said, that the expense was so much greater in the one than in the other, that some part of the charge must, in fairness as well as of necessity, be defrayed by the parties to whom the papers were transmitted.

Mr. Hume took this opportunity, having formerly introduced the subject of the half-pay to naval officers being made a retainer for their future services, to ask, whether naval officers having taken holy orders were subject to the same regulations as officers in the army?

Sir G. Cockburn replied, that the regulation by which officers on half-pay were struck off as soon as they had taken holy orders, always prevailed in the navy; and, by a recent order, the same regulation had been adopted in the army. This was, however, only to have a prospective operation.

After a short conversation between *Mr. Croker*, *Mr. Hume*, and *Mr. T. Wilson*, the vote was carried.

Votes of 897,500*l.* for half-pay to flag-officers,

131,692*l.* for superannuations and pensions to officers and their widows,

1,500*l.* for bounty to chaplains, 7,000*l.* for the compassionate list,

90,000*l.* for the widows' charity,

260,000*l.* for Greenwich hospital, were also agreed to.

The house resumed, the chairman reported progress, and obtained leave to sit again on Wednesday next.

Mr. Goulburn then moved the second reading of the Unlawful Societies (Ireland) Bill.

The debate was carried on by *Lord Nugent*, *Sir E. Knatchbull*, *Mr. Grenfell*, *Colonel Trench*, *Mr. Sykes*, and *Mr. Phillips*, when the house divided—for the second reading, 253; against it, 107.

House of Commons, Feb. 22.—On the motion for the second reading of the St. Catherine's-dock bill,

Mr. C. Calvert rose to oppose it. The hon. gentleman moved, "That this bill be read a second time this day six months."

Mr. Manning seconded the motion.

Mr. Wallace expressed himself strongly in favour of the bill. The parties who sought for it wanted no exclusive advantages. All they wished for was fair and open competition. They had not brought forward the measure lightly. It had undergone the most mature consideration. It was fit, that in a great commercial country, there should be competition in undertakings of this description. Accommodation, and that of the best kind, should be given to their merchant-vessels, and that would be best obtained through the medium of open competition. Much had been said about the accommodation afforded by the London-dock company, but why should they have a monopoly? The fact was, that those who opposed the bill were afraid of losing the gains which they realized by the enjoyment of a monopoly.

Sir J. Yorke said, he took a very different view of the subject from that which had been taken by the right hon. president of the board of trade. He thought the right hon. gentleman was not quite

quite correct in thinking that there was not sufficient dock-room already. When he saw the number of bills which were called for, and which were enumerated in the paper printed with their votes, he felt that there was a clashing of interests, which was likely to end in the ruin of different parties. He seriously asked, whether the gentlemen who thus employed their capital were in the right. In his opinion they were not; and therefore he should oppose the bill.

Mr. H. Sumner said, he should support the bill. He thought that competition was in every commercial concern a very good thing: he had no doubt that if the proposed docks were to be laid aside, the existing companies would raise their prices. For this reason, although he was no subscriber to the measure, nor in any other way interested in it, he should be very glad to see it carried.

Mr. Grenfell replied. He said, that the only opposition which had been made to the measure had proceeded from those who were interested in the present dock companies. He had no doubt that an overwhelming majority would prove the sense which the house entertained of the justice and expediency of the bill.

Mr. C. B. Monck objected, not to the principle, but to the operation of the bill in the particular place which was selected for the erection of the docks. The parish contained eight or 10,000 persons, who were chiefly employed in the lighters on the river, and they would be deeply injured, if it were carried into effect. He

objected also to the sacrilegious exhumation of the ashes of the dead, which must be a consequence of it.

Mr. Alderman Thompson said, that a large number of the inhabitants of the parish of Bermondsey had consented to the measure, and almost the whole body of merchants and ship-owners were unanimously in favour of it. He heartily concurred with the bill.

Sir R. Fergusson said, there was not an out-port in the whole country which did not, with good reason, complain of the London-docks. He saw no possible objection to the proposed bill.

Mr. Ellice said he was instructed from Dublin, the merchants of which port had not at present sufficient accommodation in the London-docks, to support the bill.

The house then divided, when the numbers appeared to be—for the second reading, 118; against it, 30; majority in favour of the second reading, 88.

Mr. Fyshe Palmer rose to move for leave to bring in a bill to empower magistrates at quarter sessions to effect exchanges between counties of insulated parcels of land, for the more convenient administration of justice. To provide a remedy for the inconvenience and perplexity which resulted from having certain parcels of land belonging to particular counties situated at a considerable distance from those counties, was the object of the bill which he called upon the house to give him leave to introduce. The best method of prevailing upon persons to apply a remedy was to prove the existence of the evil: that he would endeavour to do by stating a few

a few short facts. In the first place, he would beg to remind the house that Holy Island, which lay off the coast of Northumberland, did not, as one would naturally suppose from the situation, belong to that county, but to the county palatine of Durham. Another place, belonging to Durham, called Crake, was situated in the centre of Yorkshire, 50 miles from the courts of the county of which it was called a part. Its inhabitants voted for members of parliament for the county of Durham, whilst the assessments for land were made, and men were raised and embodied for Yorkshire. In the same way a part of Derbyshire was to be found in Leicestershire; and a part of Huntingdonshire in Bedfordshire. From the town of Oakingham, a tract of land belonging to Wiltshire ran into Berkshire for about four miles in length. It was, in some places, two miles in breadth, and in others not half a mile; and there was no notorious mark by which the boundaries of the two counties could be defined. In like manner Swallowfield East, and Swallowfield West, both belonging to Wiltshire, were situated in Berkshire. He had the authority of all the magistrates on the Oakingham bench for stating that the situation of the three parcels of land which he had mentioned had for many years produced a great inconvenience. He had seen a bill which had been framed with reference to this very subject, by Lord Chancellor Hyde, afterwards Lord Clarendon, who had resided for some time in the parish of Swallowfield. The bill was drawn up with great accuracy; it enumerated every parish,

tithing, and village within the three parcels of land before mentioned, as well as all the evils which had arisen, or were likely to arise, from their locality; and the remedy which it proposed was, that those parcels of land should be annexed for all purposes whatever to the county of Berks—that all power and jurisdiction over them should be taken from the lord-lieutenant and the magistrates of Wiltshire, and vested in those of Berkshire, with full authority to raise all dues and subsidies, all tenths and fifteenths, and all taxes whatever. The bill also contained a saving clause, guarding the right of every man's inheritance. He would not trespass on the time of the house by entering into an inquiry as to whether the divisions of the kingdom were effected under the reign of Alfred, or under that of Offa, or whether the division by tithings, or by counties, was of the greatest antiquity; but he must beg leave to say a few words on the constitution of shires, from which he thought he could make it appear that the establishment of those isolated spots in particular counties, which created so much inconvenience, must have been the effect of some overpowering influence in direct violation of the principle which led to the establishment of county courts, itinerant magistrates, and of the office of high sheriff. He found, from several authorities, that there were three objects proposed to be attained by the constitution of shires. The first was to suit the ease and convenience of the people, because all justice being at that time immediately in the crown, and administered only where

where the king was personally present, the increase of population rendered this mode of dispensing justice troublesome. It was therefore ordered, that every shire should have justice administered within itself, by county courts holden monthly to settle disputes between parties, and by sheriffs' courts holden half-yearly, to take cognizance of criminal cases. The second object of the constitution of shires was the more easy conservation of the peace; because the sheriff, being constantly resident in the county, and at a convenient distance from all parts, could without difficulty suppress all tumults, and execute all process. The third was the more easy defence of the country, and to facilitate the raising of subsidies, and all kinds of taxes. These being the objects proposed to be gained by the constitution of shires, it remained for him to show by what influence these isolated spots, which he had before described, could have been established in almost every county of England. He was of opinion that they were established by the influence of men of great rank and power, and of the church. Dugdale, in his work on Warwick, speaks of a spot of ground which interfered with his survey, and which he found to belong to the county of Worcester. In giving an account of it to his readers, he said, that it was "one of those parcels of land which are so frequently to be found severed from the county to which they belong." He ascertained that this piece of land belonged to the church of Worcester, which, upon the general division of land throughout the kingdom, had influence enough to

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preserve it, and ever after it continued to be taxed as part of the county of Worcester. Sometimes those isolated parcels of land had been retained in counties, because they were attached to the seigniories of great noblemen. In Devonshire, on the hitherside of the river Tamar, was a parcel of earldom land which had always been taxed as belonging to the county of Cornwall. In the county of Berks was a piece of land called Twyford, which belonged to Wiltshire, although it was 20 miles from that county; the reason was, that it constituted part of the possessions of the abbey of Amesbury, in Wiltshire. He knew that the house would be likely to object to any thing like innovation, and therefore he would show a precedent for the measure which he proposed. In 1698, the counties of Ross and Cromarty were by an act of session united for all purposes, and have since been considered as one county by almost every act of parliament which had been passed relative to them. In 1740, many changes took place in the geographical situation of the county of Dorset; and a variety of changes had at different times been made in counties, by forming several small hundreds into one large hundred, and by dividing large parishes, in order to collect the poor's-rate more easily. There was one precedent which he could not omit to mention, because it would have weight with the house as being one of its own measures—he alluded to the act of the 41st of George III. which was passed for the purpose of annexing Malta to the map of Europe. He trusted, that having made out something like a case of precedent, the house

would

would not object to the introduction of the bill. The honourable gentleman concluded by moving for leave to bring in the bill.

Mr. Peel had no intention whatever of opposing the measure: on the contrary, he would give the bill every consideration, although he could not at present pledge himself to support it, as it struck him, there would be some difficulty as to the detail of the measure. The honourable gentleman, for instance, had not stated what he intended to do as to the elective franchise. Again, what arrangement was to be made with respect to county rates, assessed for works which were already completed, but not paid for? The bill, further, only proposed to give the power of exchange to counties; it was not provided what a county should do which desired to take, and had nothing to offer in return.

Mr. F. Palmer said, that, with respect to the elective franchise, it would be impossible to make any new arrangement at the eve of a dissolution of parliament. His view was, that no alteration should take place until one year after the next general election. For the matter of county-rate, the sum at stake would be so trivial that it might be easily disposed of.

Sir S. B. Morland expressed himself in favour of the measure.

Mr. F. Palmer suggested that it would, perhaps, be more convenient to give the power of transfer, than that merely of exchange.

Mr. G. Cairns thought that, as it was mere matter of local convenience, the power of transfer would be more eligible.

Leave was then given to bring in a bill to that effect.

Sir John Newport moved for leave to bring in a bill, amending the law as it stood with respect to parish vestries in Ireland, and providing for the more effectual control, as well as due expenditure, of Irish parochial rates. To induce the house to countenance the introduction of this measure, it would be necessary for him to show that the existing mode of regulating parish business in Ireland was objectionable. It was most objectionable, upon two grounds; for first, there was no control as to the levy of the rate; and next, there was no sufficient responsibility as to the disposal of the money when collected. A great deal of difficulty as to all church matters must no doubt continue to exist in Ireland, so long as the religious parties of that country remained in their present anomalous, and, as he considered it, improper situation. He knew that he should have to meet this plea; and also to contend with gentlemen, whose opinions upon the general question of catholic rights were opposed to those which he supported; but he still believed that he should produce some facts, of a description so entirely conclusive, as that all parties in the house must concur in the necessity of immediate investigation and reform. In the days of king William, the house would remember, and of queen Ann, the catholics of Ireland, as well as the protestants, had still the power of voting in vestries. It was not until the reign of George I. that that power had been taken away; and by the same parliament, then, which had declared it felony for any catholic priest to marry either a protestant

to a papist, or two protestants to one another. One of the last acts of the expiring parliament of Ireland had been to unite a variety of parishes, on different pretences, one to another. The extent of some had been so increased by that arrangement as to exceed sometimes twenty, or even five-and-twenty miles. And one crying evil arising out of that course had been, that people residing at one end of a parish were constantly compelled to pay for works or repairs done to a church at another; while, to that very building, which was raised at their cost, it was impossible in the nature of things that they could ever have access. It might be recollected, perhaps, that in the last session he had moved for returns generally, of church-rates levied in Ireland within the last ten years. Those returns were now before the house: they were extremely voluminous; but he would not go farther in them than was absolutely necessary for his present purpose. A very few items selected of the account would be sufficient to show hon. gentlemen that even the statute law made to regulate the conduct of vestries in Ireland was every day evaded, or openly set at defiance. One statute had fixed the salary of parish clerks, and had declared, that in no instance it should exceed a given amount. That same law made a distinction between the payment at churches where the service was weekly only, and those at which it took place every day. Now, he would show at once, not merely that the salary fixed for daily duty had been given where the duty was only done on Sunday, but that

even the utmost amount allowed for daily duty had, in many instances, been exceeded. For example, the parish of Thurles, in the county of Tipperary: in the accounts of that parish he found one item of between 35*l.* and 40*l.* for ornamental hangings within the church. Now this was a work of decoration, not of necessity; and nine-tenths of the rate for it, let the house observe, was paid by catholics who had no interest in, nor any access to the church at all. In the county of Wexford, again, two parishes, ten miles distant from each other, had been united: here he found, among other curious arrangements, "Sexton and Beadle's salary," 10*l.*; raised, in the year 1814, to 20*l.*; and a note affixed, stating that this increase had been given "because the practice of ringing funeral bells was discontinued" ("*Hear, and laughter*"), owing—let hon. gentlemen hear what the rise was owing to—"owing to the church having no bell." (*Much laughter.*) This was not a singular case by any means; such items of "compensation" were very common. In the very next line of his list, he found "salary to parish-clerk," so much—and—so much more, "compensation to the former clerk for having been removed." In another instance, he found the charge of "20*l.* a year for an organist:" he knew of no rights the vestry had to tax that parish for such a purpose. This very charge of 20*l.* stood afterwards, in the year 1805, increased to 50*l.* "in consequence of the corporation having withdrawn its 30*l.* a year subscription, for want of funds." The thing did not stop there; the principle

had begun; in the very next year, there came a new item—"for winding up the clock:" that expense, as well as the pay of the organist, having got transferred from the corporation to the parish. But these measures, so far, had been moderate; the really doubtful ones were yet to come. Castle Comber, in the county of Kilkenny. Among the charges against that parish, he found the following:—"To William Taylor, carpenter, for work done at the parish clerk's house, and at the school-house, 22*l*." Now, who did the house think this William Taylor was? He was actually, himself, both parish clerk and school-master, receiving a salary of 10*l*. in the one capacity, and of 2*l*., with a gratuity of 6*l*., in another. In this same parish, in the same year, there was a charge of 37*l*. 8*s*. for church robes—this to be paid by a population, nineteen-twentieths of which, at least, were catholic. In another case, the parish of Timmoul, in Queen's county, a subscription appeared, and an honourable one, towards repairing the church, of 20*l*. from the rector, and 50*l*. from the Marquis of Lansdown. With respect to the parish of Tuam, where the cathedral church was also the parish church, it would be necessary for him once more to refer to the directions of the law. The statute which authorized the lord-lieutenant of Ireland, in some cases, to unite a parish church with a cathedral church, had been, as regarded the union at Tuam, entirely abused. The law said, "that whereas in certain dioceses of Ireland, the cathedral churches were so inconveniently situated that they could not be frequented for divine ser-

vice, and were therefore suffered to fall into ruin and decay." Now this was an extraordinary kind of statement. It could not apply to Tuam, which stood not "inconveniently," but in the middle of a town; but even where it did apply, he had very little doubt, that while the cathedrals went to decay, the dignitaries connected with them found means to collect and enjoy all the dues of their benefices. But the statute went on to say, that where this decay existed, and there seemed to be no probability of repair for want of funds, there the union with the parish church might take place, half all expense of repair to be defrayed by the economy fund of the cathedral, and the other half by the parish. Now, he repeated, the condition of Tuam cathedral could not justify this union at all; but still more, the expense of repair was now defrayed, not the half, but the whole of it, by the parish. It might be worth while to consider hereafter of the treatment to which the persons who had petitioned against this measure had been subjected; but at present he would go on to the expenses charged against that parish, almost every item of which was in violation of the statute. To begin: the salary of the parish clerk was 20 guineas, 20*l*. being the highest rate, in any case, allowed by law. There was a sexton at 10*l*. with an addition to that allowance in 1818. But the most curious charge was the next: "For 12 quarto prayer-books for the church, 12 guineas. For two, bound in morocco, for the communion," so much. "For eight smaller ones," so much more. There was scarcely a protestant

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went into the church, but had a prayer-book at the cost of the parish! With respect to the collection of the assessment, a Roman-catholic gentleman had offered to collect it for 20*l.* This proposal had been rejected, and it had been given to some one else at 30*l.* The effect of all this was, that the parish rate, which had in the year 1812 been two-pence farthing in the pound, was now increased nearly three times over; it was seven-pence. Then, could any man doubt that there was a necessity for control over proceedings like these, when four or five protestants, the only people of that class in a parish, were taxing the whole parish just in any way they pleased? One more rate, as to another parish, into which, by itself alone, all possible sins and violations of law seemed to be collected. Against the parish of St. Peter, Drogheda, there was charged, "An organist, 50*l.* a year;" "A boy to assist the organist, 5*l.* a year;" "To the tuner of the organ, 10*l.*" The parish clerk was paid 30*l.*, ten more than was allowed by the statute; the sexton had 24*l.*, raised in 1818 to 31*l.* Then, for rebuilding the house of the parish clerk and sexton—this was in the year 1815—429*l.* 9*s.* Had any body ever heard before of a parish building houses for a clerk and sexton? And at such a cost as 429*l.*? And this was not all, for actually, in the year 1823, there was, "for improving the clerk's house," a charge of 38*l.* A further item of 16*l.* 11*s.* appeared for wax candles. And for wine for the sacrament, from the year 1812 to the present time, from 21*l.* to 36*l.* annually. It was under these cir-

cumstances—for he would not trouble the house farther with details—that he had thought it his duty to bring forward the present measure. The cases which he had cited were perhaps the more prominent ones; but the returns were full of instances of a similar description. Against one parish there was a charge for "wine for the communion"—in one year, two dozen, 5*l.* 18*s.* In the following year there were two dozen more; and for this there was charged 7*l.* 2*s.* Why, every gentleman who knew the price of wine in Ireland, must be perfectly well aware that no wine of the first order—at least no port wine—could cost any such sum as this. The truth was, that no check whatever existed, neither upon the price paid for the wine, nor on its disposal. The parish of St. George, in Dublin, had been regulated a good deal by a special act of parliament; but here, as in many other cases, the papers called for had been so long kept back, as to prevent the possibility of any inquiry last session as to its affairs. This course, indeed, was understood, and followed pretty generally: whenever papers were called for which were to illustrate any grievance, the return of those papers was so delayed, as to make any measure for the current session quite impracticable. But, in St. George's parish, the burden of the rates was producing the most serious mischief. Houses, in consequence of the assessments on them, remained without tenants; and as the dues went on all this while accumulating, when a house had been two or three years unoccupied, the amount of the back rate made it impossible

impossible to take it. Now, in St. George's parish, the building of the church, which had been estimated at 16,000*l.*, had gone on to 57,000*l.* A great part of that sum had been raised upon interest, which was now a heavy burden upon the parishioners; and the trustees for the building had contrived so as to be exempt from every audit of their accounts except their own. The parish had never been able to get any account from them; nor had any return been made in compliance with his (Sir John Newport's) motion for papers before the house. The necessity of change, he submitted, must be obvious to every man. His wish was, that where vestries were held for building or repairing churches, or for choosing parish officers, they should not have power to go into any other matter; and that, at all vestries held for purposes of a general description, catholics as well as protestants, should be entitled to assist. After adding, that his present measure would give the power of traversing any rate made, and of subsequent appeal, the hon. bart. sat down by moving for leave to bring in a bill "to amend the law with respect to parish vestries and assessments in Ireland, and to provide for the effectual control and due expenditure of all parochial rates."

Mr. Goulburn felt no disposition to oppose the bill of the right hon. baronet; for, to satisfy all parties, the readiest course was investigation. The established church must be maintained in Ireland; and maintained, as to all expenses that were necessary, by the population; but, as far as the correction of abuse could go, if

abuse existed, the present measure should have his best assistance. With respect to the particular instances which had been quoted by the hon. baronet, he was not prepared, at the present moment to go into them; but he had already looked through the returns, and, before any further discussion took place, would endeavour to attend to them more fully.—Leave was then given to bring in the bill.

Sir Henry Parnell rose to bring in a bill to amend the present state of the law between landlord and tenant in Ireland; and trusted that he should show the faults of the existing system so clearly as to have little to apprehend in the way of opposition. He agreed entirely in all that had been urged, both in the house and out of it, against the practice of subdividing farms. This practice had a direct tendency to increase the existing mass of population, and therefore, by consequence, still to deteriorate its condition. The value of labour in Ireland was already far too low. It was scarcely possible for the agricultural labourer to sustain himself at an average rate of less than 1*s.* per day; the present value of his work, according to the report of the committee of inquiry, scarcely amounted to 4*d.* It was admitted that the population of Ireland had increased in a greater proportion than her capital; and one of the difficulties of her present situation was, that of finding employment for this increased population. The great difference between the situation of Ireland and that of other countries was, that the farmers who possessed large, or even small portions of land, were

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in the habit of bequeathing them at their death, in subdivisions amongst their children. This was one cause of early marriages, and that, connected with their living on potatoes, and the cheap mode in which that kind of food might be procured, rendered the population of Ireland the most numerous (for its size) as well as the most wretched of any country in Europe. This practice of sub-letting and subdivision of lands was, in many other respects, productive of very great inconvenience to the country, but he would not now go into the detail. He would, if the house gave him leave, bring in his bill, and let the whole subject be afterwards fully examined before the committee up stairs. He concluded by moving for leave to bring in a bill to amend the law of Ireland, relating to the sub-letting of tenements. Leave was given to bring in the bill.

Sir H. Parrell rose to submit another motion, of which he had given notice, to move for leave to bring in a bill to regulate the office of justice of peace in Ireland. He did not intend to enter, on this occasion, into any detail as to the conduct of the magistracy of that country, but he thought that some measure was necessary to follow up and enforce the excellent regulations respecting the magistrates, which had been introduced by the Marquis Wellesley. One of the great evils which that noble lord had tried to remedy was, that of magistrates acting in their private houses, instead of holding courts of petty sessions; a practice from which the most injurious consequences had proceeded. Independently of this, he thought it

necessary that the number of magistrates should be restricted, so as to get rid of many at present in the commission who were unfit for that situation. In the propriety of the regulations which had already taken place, he entirely concurred; but he thought they had not gone far enough. It was, he knew, objected, that if all who were unfit were removed, there would not be enough to do the business of the country; but if the objection had any weight, the way in which the evil might be remedied, was not by appointing persons wholly unfit for the duties of the office. He would not state to the house the extent of the regulations which might be introduced. He was anxious that the leave for bringing in the bill might be a sort of pledge that something further should be done on this subject; but what the nature of the precise remedy should be, he would leave in the hands of the committee appointed to bring in the bill, satisfied that they would suggest such remedies as would fairly meet the circumstances of the case. He thought the house ought to go farther than the Irish government had done, and that some new principle should be laid down in the appointment of Irish magistrates. The house concluded by moving for leave to bring in the bill.—Leave granted.

House of Commons, Feb. 28.
Mr. W. Swick brought in a bill for granting relief to persons dissenting from the church of England, with respect to the ceremony of solemnizing marriages; which was read a first time, and ordered to be read the second time on Friday, the 4th of March next.

Mr. Brougham moved for leave

to bring in a bill for amending an act of the 55th year of the late king, for regulating the practice of apothecaries in England and Wales. A great hardship had been found to arise from the inartificial manner in which the bill had been framed, although, in its principle, it was highly beneficial.

Under the present act, an apothecary could neither recover payment of his bill, nor defend a *qui tam* action, which might be brought against him for penalties, without bringing to the court in which the trial might take place some person to prove the handwriting of the warden and examiner of the Apothecaries' Company to the certificate which was his licence for practicing. The hon. member proposed to amend this, by introducing a clause, making the seal of the company evidence in all cases, guarding against the possibility of that seal being forged, by providing for the punishment of persons committing such a fraud. It happened that men frequently came from Scotland and Ireland, to settle in London, who were as well qualified to practise as those who had been licensed by the Apothecaries' Company. He proposed, therefore, to extend to persons who had been properly examined by the universities of Dublin, Edinburgh, and Glasgow, the same privileges as were possessed by those who had received the certificate of the London apothecaries. The other Scotch universities, owing to the laxity of their practice, with respect to examinations, could not at present be included in the bill consistently with a due regard for the public safety. If the sum of 15*l.* were transmitted to Aber-

deen, or 'St. Andrew's' College, the diploma, of which it was the price, was regularly transmitted by the post. This practice he regretted, because it added little to the revenues of those colleges, while it disinherited them of that reputation which they derived from their ancestors, among whom had been some very eminent men. In some future bill, when these colleges should have acquired a better habit, and the public health, therefore, had some stronger security, he should be willing to see them included.

After a few words from Mr. Croker, leave was given to bring in the bill.

House of Lords, Feb. 24.—The Lord Chancellor rose, pursuant to the notice he had given, to move the second reading of the bill he had introduced for amending the present forms of process and judicial proceedings in Scotland. He would detain their lordships only a few minutes, in stating the grounds on which he proposed that this bill should now be read a second time. It would be recollected that it had been thought proper to institute an inquiry into the state of judicature in Scotland, and that a commission, consisting of persons qualified to give the best information on the subject, had been appointed. The commission, which was composed of men distinguished for knowledge and learning, and who had been selected for the purpose of conveying to the house the best opinion which could be obtained, were unanimous in the report which they had made. The bill which had been brought under the consideration of the house last sessions, was brought forward in conformity

conformity with the opinion of the commission, with the exception of some slight alterations respecting the jury court. The present bill was similar to that which had passed the house last session, and it would be competent to those noble lords who thought the measure susceptible of farther improvement to offer their amendments in the committee. The bill of last year had undergone considerable changes in another quarter; but it had not been thought conformable to the dignity of the house to alter its proceeding on the authority on which those changes originated. There might, however, be some suggestions which would be available in framing other enactments of the bill; and it would be for their lordships to determine whether the bill should pass as it now stood, or receive alterations of the kind which had been suggested. If they should find the nature of jury trial so completely understood as to warrant a change, they would have to consider whether it ought to be farther extended, or remain in its present state. In proposing the second reading of the bill this day, it was his intention to move its commitment on Monday next.—The bill was then read a second time.

Lord Suffolk rose to propose an act, declaring spring-guns, or other instruments of death, set in grounds for the preservation of game, unlawful. The custom of their lordships' house precluded any detailed argument on a first reading; and the discussion of the measure would of course take place with more propriety on the second reading than on the present occasion. He should, therefore, in

conformity with the practice of the house, confine himself to a few observations. The object of the bill he had already stated. If he were now to enter into any of the reasons which operated with him to propose this bill, he should more particularly call their lordships' attention to the dreadful and melancholy accidents which had frequently been occasioned by spring-guns. It would appear, upon examination, that it was not poachers alone who suffered. Many innocent persons had become the victims of those instruments of death, and there was an instance in which royal blood had very nearly been shed by a spring-gun. What he would request of their lordships particularly to consider was this—that the consequence of authorising the use of spring-guns was to give to an individual the power of punishing with death an offence, for committing which the offender, if brought to trial, would be punished in a more lenient manner. He could not think that capital punishment ought to be thus left to individuals, even if it could be certain that the punishment was always to fall on offenders; but, as he had said, it was not poachers only who were exposed to the effects of spring-guns. He was quite sure, however, that in no case would any noble lord wish to inflict the punishment of death with his own hands on an offender; and yet such was indirectly the consequence of setting spring-guns. He was convinced that if this view of the subject were duly impressed on persons of benevolent feelings, they would never allow spring-guns to be set in their grounds. There was at present,

as he should hereafter prove, no distinct law on the subject, and the object of the bill he should propose was to declare the law. The mode in which he would propose to do this, would be by analogical reference to other cases in which declaratory laws had been introduced; but at present he should not trouble their lordships with any thing farther, except to move that the bill be now read a first time. He would move the second reading on that day se'n-night, if that day suited the convenience of their lordships.

Earl Grosvenor approved of the bill, which he was convinced would do a great deal of good.

House of Commons, Feb. 24.—Mr. Alderman Thompson presented a petition from the dealers in tobacco of the city of London, praying for a reduction of the duty on that article. It was purchased, the petitioners observed, at 4d. per lb., and the duty on it was no less than 4s. per lb. This, they complained, was a very great incentive to smuggling; and they also objected to the tax, because it fell most severely on the lower orders of the people. He (*Mr. Alderman Thompson*) hoped, that amongst the reductions which the Chancellor of the Exchequer meant to announce in his financial statement on Monday next, the tax on tobacco would not be forgotten.

The petition was then read, and ordered to be printed.

Mr. Hume moved to revive the committee appointed last session to inquire into the propriety of allowing or prohibiting the export of machinery. He had no personal interest in the question, (the hon. member said), but he

considered it one, nevertheless, of very great importance. With respect to the case as it stood, the custom-house officers declared that it was impossible to carry it into effect; they were unable, constantly, to determine what was, and what was not, a prohibited article. Machinery now was smuggled out of the country to a very considerable amount. France encouraged this practice as far as she could; and we ourselves sustained a loss of revenue by it. Again, the grossest errors of judgment had been committed in the selection of articles to be prohibited. He was credibly informed that a great number of instruments forbidden to be exported on the plea of great nicety being necessary to construct them, were in fact of so simple and easy a composition, that they were made by boys only, and learners in the trade. The prohibition, as it existed, produced an immense loss to individuals. One machinist alone, *Mr. Bramah*, of Piccadilly, had lost 100,000*l.* which he might have gained, if he had been allowed to export his hydraulic presses. Again, articles were prohibited, which we could have no object in keeping our neighbours without. Coining machines of all kinds, for instance, were forbidden. Why should we prevent the French from coining? He (*Mr. Hume*) had no doubt that he should adduce, in the committee, such evidence as would convince the most scrupulous minds of the propriety of repealing the present restrictions. The hon. member concluded by moving for a select committee to inquire into the laws respecting the exportation of machinery.

Mr. Huskisson supported the motion.

motion. The question was put and carried, and the committee appointed.

Mr. Martin rose, pursuant to his notice, to ask leave to bring in a bill to prevent bear-baiting, and other cruel practices. He submitted his motion, with perfect confidence of its success, to the house, because, in the interval which had elapsed since the last session of parliament and the present time, he had conversed with every alderman of the city of London, with almost every police magistrate in the various districts of the metropolis, and indeed with many magistrates in different parts of the country, and had collected from their conversation, that it was their unanimous opinion that these cruel practices ought to be put down without further delay. He had been told over and over again by them, that nothing was more conducive to crime than such sports—that they led the lower orders to gambling—that they educated them for thieves—and that they gradually trained them up to bloodshed and murder. The reason why the police could not meddle with these practices was, that they were not in general exhibited for money. He held, however, in his hand, an *affiche*, which was placarded throughout the town quite as publicly as any *affiche* would be that announced the benefit of Madame Vestris, or any other singer at the opera. That *affiche*, however, would bring the sports under the notice of the police, since it fixed a price upon the ticket which was required for admission to them. It announced that “Billy, the phenomenon of the canine race, and superior vermin killer,” would go through his

wonderful performances on Tuesday next, and that the receipts of the pit would on that evening be presented to the distressed widow of Billy’s late proprietor. It then stated, that “a dog-fight—a turn-loose match with two dogs and two fresh badgers—and a drawing match,” would follow this astounding spectacle; and that several dogs would then be tried at a bear, previous to their being sent out upon their travels to foreign climes. The doors were to be open at seven o’clock, the performance to begin at half-past, and the admittance to be 3s. each. The whole of the sports were said to be instituted by the “express invitation of several noblemen and gentlemen of the first distinction.”* He expected that this declaration would secure to him the vote of the hon. and learned member for Winchelsea. On a former occasion that hon. member had said that he (Mr. Martin) meddled only with the sports of the poor, and turned away his eyes from those of the

* We subjoin the “*affiche*” to which the hon. member alluded:—“By the express invitation of several noblemen and gentlemen of distinction.—Billy, the phenomenon of the canine race, and superior vermin killer of his day, having killed nearly 4,000 rats in about seven hours, will once more go through his wonderful career of destroying a proportionate number thereof, in ten minutes, at the Westminster Pit, on Tuesday, March 1, 1825. The receipts of the Pit of that evening to be presented to the distressed widow of the late C. Dew, who was the owner of this matchless canine performer. After which a dog-fight, a turn-loose match with two dogs and two fresh badgers, a drawing match, and several bull-dogs to be tried at the bear, before their departure for foreign climes. Billy can be matched to kill 100 rats against any two dogs in England, for 100 sovereigns. Doors open at 7, commence at half-past. Admittance, 2s. each.”

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rich. He did no such thing, but was equally anxious to meddle with both, when he found them opposed to the dictates of humanity. The hon. and learned member had said, "Show me that the nobility take part in those sports, and I will join with all my heart in putting them down." He was sorry to say, that to his knowledge some persons of rank and name did patronise these cruel practices; and he mentioned the fact now, to secure the vote of the honourable and learned gentleman. The persons to whom he alluded, deserved to be stigmatised with severer reprobation than the poorer classes, against whom alone his bill was said to be directed. Their education ought to have given them feelings averse to cruelty and bloodshed, and to have taught them that their example would be of vast importance in propagating such feelings among their inferiors in station. He therefore trusted that the hon. and learned member for Winchelsea would redeem the pledge which he had given him, and would give his strenuous support to the bill which he now asked leave to submit to their future consideration. He could see no rational objection that could be urged against it. By the Mary-le-bone Act, all bear-baiting and other barbarous sports were prohibited within that parish; and it appeared to him difficult to assign any reason why, if the parish of Mary-le-bone were to be exempt from such inhuman exhibitions, the parishes of St. George and of St. Margaret, or of any other saint, were to be disgraced and disgusted by them. It was not, however, merely bear-baiting, and sports of a similar nature, that he wished to

abolish; there were other practices, equally cruel, with which he thought the legislature ought to interfere. He would give them an instance of what he meant. There was a man, a Frenchman, called Majendie, whom he considered a disgrace to society. In the course of last year this man came to England, and at one of the anatomical theatres exhibited a series of experiments so atrocious as almost to shock belief. He would not trust himself to express a further opinion upon this fellow's conduct, but would merely say that he looked upon those who witnessed it without interfering to prevent it, almost in the light of criminals. This Mr. Majendie got a lady's greyhound, for which he paid the sum of ten guineas. He first of all nailed its front, and then its hind paws to the table with the bluntest spikes that he could find, giving as a reason for so doing, that the poor beast in its agonies might tear away from the spikes, if they were at all sharp and cutting. He then doubled up its long ears, and nailed them down to the same table with similar spikes. He then made a gash down the middle of its face, and proceeded to dissect the nerves on one side of it. First of all, he cut out those nerves which belong to the sight, and whilst performing that operation, said to the spectators, "Observe, when I pass my scalpel over these nerves, the dog will shut its eyes." It did so. He then proceeded to operate upon those of taste and hearing. After he had finished those operations, he put some bitter food on the tongue of the dog, and hallooed into his ear. The dog repudiated the food, and was insensible

sible to the sound. This surgical butcher, or butchering surgeon—for he deserved both names—then turned round to the spectators, and said, “I have now finished my operations on one side of this dog’s head; as it costs so much money to get an animal of this description, I shall reserve the other till to-morrow. If the servant takes care of him for the night, according to the directions I have given him, I am of opinion that I shall be able to continue my operations upon him to-morrow with quite as much satisfaction to us all as I have done to-day; but if not, though he may have lost the vivacity he has shown to-day, I shall have the opportunity of cutting him up alive, and showing you the peristaltic motion of the heart and viscera.” He was aware of the necessity of making some experiments on living animals; but then they should be performed in such a manner as to cause as little suffering as possible. That was the opinion of the most eminent professors of medical science. He held in his hand the written declarations of Mr. Abernethy, of Sir Everard Home, of the professors of medicine at Cambridge and Oxford, and of several other respectable medical gentlemen, to that effect. They all, he believed, united in condemnation of such excessive and protracted cruelty as had been practised by this Frenchman. He had heard that this fellow was again coming to this country to repeat his experiment. He therefore had mentioned it to the house, in the hope that it would gain publicity, and excite against the perpetrator of such unnecessary cruelty the odium he merited. He trusted that when it

was known, the fellow would not find persons to attend his lectures, and would thus be compelled to wing his way back to his own country, to find in it a theatre for such abominable atrocities. After some further observations, he concluded by moving for leave to bring in a bill to prevent bear-baiting and other cruel practices.

Sir M. W. Ridley said, that he should oppose the motion, because he considered legislation on such paltry subjects to be quite unnecessary and uncalled for.

Mr. Martin did not conceive that this bill was upon a subject too paltry for legislative notice, or that it was so uncalled for as the hon. member represented it. All the magistrates of the metropolis called for a law to put down these practices as a nuisance: was not their call entitled to some respect from the attention of parliament? It was not creditable to the house,—nay, more, it was discreditable to any member, to rise and say, not that he would negative the bill when it was brought in, but that he would not permit it to be canvassed at all in parliament. Would any man get up and boldly say to them, “I am such an amateur of cruelty, that I will not even allow a measure to be discussed which tends to abolish it?” Such language no man would dare to utter: and yet what has been said that evening approximated very closely to it. He was afraid that he should be defeated upon this bill; but if he was, the glory would be with him, and the disgrace with those who vanquished him. He was, however, confident that at some future period it would be passed into law. He would not say that it would meet with that success

whilst under his direction ; but if the gentlemen opposite would take it up, as they had done his bill for giving counsel to prisoners accused of felony, which they had almost brought to a successful issue, he would willingly surrender it into their hands, and would rejoice at seeing them obtain that success, which, at present, he was afraid, would be denied to his efforts.

Mr. Gordon objected to the motion on the same grounds as his hon. friend the member for Newcastle.

Mr. F. Buxton did not think this subject to be so insignificant as not to deserve the notice of the house. The honourable member for Galway had conferred a very sensible benefit upon the community by his continued exertions in the cause of humanity. His bill had already produced a beneficial and extraordinary change in the manners of the lower orders, and was far from having produced that unnecessary litigation which some gentlemen had anticipated. He had an account of the prosecutions which had been instituted under it. They were 71 in number, and in 69 cases convictions had been obtained. He had heard from those who attended Smithfield-market, that a great revolution had taken place in it, owing to the exertions of the hon. member. Even those who were the first subjects of his attacks, had recently come forward to subscribe to the funds of "The Society for Preventing Cruelty to Animals."

Mr. Alderman Bridges supported the bill, and gave his concurrence to the statements of the hon. member for Galway.

Mr. Butterworth hoped that the hon. member for Galway would

extend the powers of his bill to the savage, abominable, and unchristian practice of prize-fighting, which had led in many recent instances to the loss of life.

The gallery was then cleared for a division, when there appeared for the motion, 41; against it, 29; majority, 12.

The house having resolved itself into a committee of supply, the further consideration of the navy estimates was proceeded with; and the various resolutions were agreed to without any division.

Sir Joseph Yorke observed, that the salary of the private secretary of the first lord had been raised from 300*l.* to 510*l.* a year. He should be glad to ask his hon. and gallant friends who sat around him what was the reason of this increase. While he was on this subject he must observe, that though he considered such an increase of salary to be not very consistent with that economy which had been so often recommended by the house to be observed in all branches of the public service, and which principle of economy had already reduced the board of seven lords of the admiralty to a board of five, he should not have suggested such a question had he not happened to have made a speech, unfortunately, on the motion of his hon. friend the member for Newcastle, in consequence of which that very reduction was effected. A gallant friend whom he (*Sir J. Yorke*) did did not now see in his place, maintained on that occasion that the two lay or civil lords, as they were called, were perhaps the most efficient members in the constitution of that board—a position which he (*Sir J. Yorke*) at the time warmly contested, and had in fact answered

by supporting the motion of the hon. member (Sir M. W. Ridley.) Now, he was sorry for the part he had taken on that occasion, seeing that the whole saving effected under the late Lord Londonderry's administration in the admiralty department amounted to 2,000*l*. And really when millions were thrown away with profusion in the expenditure of this great and powerful country, he thought such a saving might as well be returned. This was all the saving that had been effected in the establishments of the public offices. He believed the fact to be so; for could any hon. gentleman inform him of any reductions in the number or the salaries of the commissioners of the revenue, customs, excise, or navy? It appeared to him that the parties who had been losers by such a paltry saving, might as well be reinstated in its amount.

Mr. Hume perfectly concurred in the force of the observations just made by the gallant admiral, seeing that all this time millions were thrown away, as he had truly said, upon building ships to rot; and the yearly estimate for dock-yards, &c. was from 180,000*l*. to 190,000*l*. By a variety of estimates which he held in his hand, it appeared that the charges for similar services in the several years 1825, 1824, 1823, 1822, had been all far greater than those of the year 1817; and yet it would be difficult to assign any reason for this great increase of expense at such a time as the present. They were, in fact, proceeding, in regard to all of them, at a most extravagant rate. Since 1811, up to the present period, the expense to the country for dock-yards and wharfs (and it was as to these items and public works that

the growing extravagance he spoke of principally required to be checked) amounted to the sum of 4,862,000*l*., which, coupled with the amount of some of the estimates this day laid on their table (1,678,000*l*.), made the total cost of such works in a few years no less than 6,540,000*l*. Every body knew that we had managed to carry on a war, at a time, too, that our navy was in a much more efficient condition than at present, without one shilling of all this expense. The fact was, that the costly works in question appeared to be managed without any system or order; for he found that for one and the same work, the estimates showed a charge in one year of 600,000*l*., in the next of 500,000*l*., in the next of 800,000*l*., and so on backwards and forwards, without any sort of rule or principle. There must be something rotten and ill-directed in such a state of expenses. Since the year 1815 only, no less than 23,000,000*l*. had been paid by the country for the building and repairs of ships: and, looking to such facts as these, he could not but feel that the scale of our expenditure in these branches was much higher than it should be.

Sir George Cockburn observed, that it was but the other night that the hon. gent. (*Mr. Hume*) had taken occasion to say that he wanted to observe more ships fitted out for sea. Now that that was the case, and the wish so expressed was fulfilled, the hon. gentleman was exceedingly dissatisfied with government for what they had done. As to what the hon. gentleman had said about there having been little or nothing of these expenses in time of war, he must surely be aware that

times of peace were the season for building public works; and hence the charges for them which appeared in this estimate. As to the charge of building and repairs of ships, mentioned by the hon. gentleman—namely, a total, since the year 1815, of 23,000,000*l.*,—he (Sir G. Cockburn) must be allowed to say that he very much doubted his accuracy.

Mr. Hume said, he took the sums from the printed estimates.

Upon the vote of 6,252*l.* 12*s.* 7*d.* for the naval college,

Sir Joseph Yorke asked whether it was meant to keep up that college to the same extent at which it now stood? His reason for asking this question was, that one of the students educated at that establishment, a *Mr. Bonnycastle*, had gone to America. Now, if it was meant to bring up young gentlemen at the royal naval college, who might afterwards go to other countries to help them with their science and their talents, to build ships that might afterwards be fought against us, he (*Sir J. Yorke*) must say that such a plan might be very liberal and very generous; but he thought that charity should rather begin at home.

Mr. Croker stated that it was a matter of great difficulty to take such steps in the nature of securities, as might be at once consistent with that independence of action and feeling due to a liberal system of education, and with the original and proper objects of the institution. Every person becoming a member of this establishment gave a bond of 500*l.*, which, if called for, must, on the student's entering another service, be forfeited. He (*Mr. Croker*)

really did not know what more government could do in such cases than exact such a security of the student; but he should be very much obliged if the gallant admiral would point out any more eligible plan.

Sir J. Yorke suggested that the number of students should be reduced. If they were fewer, employment might be more easily found for them.

Mr. Croker stated that they were all employed. This young gentleman had been employed as well as the others: and yet, notwithstanding that such was the case, he wrote to the directors of the establishment, stating that he had an offer in America, and was willing to forfeit his bond.—Adjourned.

House of Commons, Feb. 25th.—

Sir Charles Long presented a petition from the trustees of the British Museum, the statement contained in which he begged permission to repeat to the house. *Mr. Rich*, who had been in the service of the East-India Company, as their resident at the court of the Pacha of Bagdat, had made, during the many years which he resided in India, a very extensive and valuable collection of manuscripts, medals, and antiquities. It was the wish of that gentleman, who was since dead, that this collection should be in the possession of the British Museum, in order that, by being opened to public inspection, it might be the means of facilitating the discoveries and studies of persons of science. His widow, in pursuance of this desire of her late husband, had offered the whole of his collections to the trustees of the British Museum

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at a reasonable price, which might be fixed upon by persons who were acquainted with its value. The trustees, when this offer was made to them, felt bound to make an inquiry into the value of the collection. They procured the opinions of Dr. Macbride, Dr. Nicholls, of Oxford, Dr. Leigh, of Cambridge, and of Dr. Young, all of whom were well qualified to estimate the worth of such a collection. They gave their concurrent testimony, that it was highly valuable, and would form an important acquisition to the British Museum. The collection consisted of 900 volumes of manuscripts, in the Persian, Turkish, Chaldaic, Syriac, and Arabic languages. They contained commentaries on the scriptural writings, and were likely to afford very important illustrations of the sacred text. Another part of the collection was composed of Oriental and Greek medals, the value of which would be satisfactorily proved to the house when he told them, that they were held in the highest estimation by the late Mr. Payne Knight, who had carefully examined them. The last part of the collection was a large quantity of antiquities, which had been discovered in the neighbourhood of Babylon and Nineveh, on which were inscribed characters which had not yet been deciphered, and which, it was obvious, never could be deciphered but by means of comparing them with other similar remains. Notwithstanding the long and intimate connexion which we had had with Asia, the library of the British Museum was almost wholly destitute of the productions of Oriental literature. This was one reason why he recommended

1825.

the purchase of the collection; and another was, that it was in itself complete and entire, and contained not one duplicate of any thing the Museum at present possessed. He had, in the course of the last session, when he called the attention of the house to the munificent gift which his Majesty had made of the late king's library, expressed a belief that this example would be followed by others. He had great pleasure in stating now—(not because it was a fulfilment of his own prediction, but because it was highly honourable to the generosity and public spirit of the honourable individual to whom he alluded)—that Sir Richard Colt Hoare had expressed his intention of presenting to the trustees of the British Museum, for the use of the public, the large and valuable library which had been collected by himself and his family. It contained, among other valuable books, a complete collection of Italian history and topography, and amounted to no less than 17 or 18,000 volumes. After stating that the computed value of the collection of the late Mr. Rich was 8,000*l.*, of which 6,000*l.* was for MSS.; 1,000*l.* for the medals; and 1,000*l.* for the antiquities, the hon. baronet brought up the petition, which was ordered to be printed. He then moved that a committee be appointed, as had been done in the case of the Lansdown MSS., to report to the house their opinion on the proposed purchase, which was carried.

The house then resolved itself into a committee of supply on the motion of

Lord Palmerston, who moved also, that a sum not exceeding one million should be granted to

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his Majesty, towards discharging the expenses in respect to army surgeons.

Mr. Bankes moved that a sum of 15,416*l.* should be granted to his Majesty, to defray the expense of the British Museum for the year 1825. He was ready to explain the items if any honourable gentleman should think it necessary.

Mr. Croker rose, not for the purpose of opposing the vote, but to repeat an observation which he had made last year respecting the price at which the catalogue of books in the Museum was sold. A catalogue was, as it were, the key of the Museum, and highly useful, if not necessary, to the persons who wished to consult the books. The price of the catalogue now was 7 or 8 guineas, and this made it wholly impracticable for poor scholars to procure it. He was sure the house would agree to no vote more readily than to one which would enable the Museum to sell their catalogue at a cheaper rate. He did not at present urge the printing a new one, because, until the king's library, and other additions which had recently been made, should be open to the public, it would not be advisable to have a new edition.

Mr. Bankes said, the price of the catalogue was four guineas, but that, he was aware, was too large a price.

Mr. Hume, referring to the returns which had been laid on the table of the house, wished to know whether there was any objection to adding one or two days in each week to the three on which the Museum was now open to the public.

Mr. Bankes said, that there

were only two days at present reserved for private inspection of the Museum, and this reservation was made with a view to accommodate foreigners and other curious persons who came thither to consult the objects which the Museum contained, and whose object would be frustrated by the admission of a crowd.

Mr. Hume said, then it appeared that two days were reserved for this purpose, and only three for the admission of the whole community. He thought this was hardly fair.

Mr. Croker said, it must be obvious to every one who had visited the Museum, that it was necessary for the students (he did not greatly value the argument as to foreigners and curious persons) to be allowed the undisturbed access to the Museum; and he did not think two days in each week were too much for this purpose.

Mr. Hume said, that there still remained one day unoccupied.

Mr. Croker said, that day was necessarily employed in cleaning the building.

Mr. W. J. Bankes took this opportunity of reminding the house of the circumstance of the collection which had been ceded by Mr. Salt to the British Museum. A sum of 4,000*l.* had been given to him for that collection, but he was still a loser by it, owing to the sum which he had had to pay for the alabaster sarcophagus. Mr. Salt made no demand for the sum he was a loser of, but he (*Mr. Bankes*) hoped that some opportunity would offer of remunerating him.—The vote was then agreed to.

Mr. Herries moved for a sum of 100,000*l.*, on account of civil contingencies,

contingencies, the whole amount of which was 260,000*l*.

The vote was agreed to, the house resumed, and the report was ordered to be brought up on Monday next.

Mr. Goulburn moved the third reading of the unlawful societies' bill.

Mr. Leicester said, that in his opinion, the society ought to be tolerated by the government, because, if it were put down, it would give rise to others which would be more powerful, and far more formidable than this, and which no human power would be able to put down.

Mr. S. Rice felt it his duty to protest against the passing of the measure before the house. There was one of the clauses of the bill at which he was perfectly astonished, on account of the monstrous power which it proposed to vest in the hands of the Irish magistracy. The clause to which he alluded was that which empowered any mayor, sheriff, or justice of the peace, within his and their respective jurisdictions, to command all meetings declared in the bill to be unlawful assemblies immediately to disperse, and to demand admission into any house, out-house, or office, where they shall respectively have good reason to believe that such unlawful assembly shall be, and if refused, to enter by force. That he considered to be one of the most monstrous and unjustifiable provisions that could be proposed to be inserted in an act of parliament. Even if the magistrates of Ireland were all that was most pure, it would be wrong to intrust them with such powers; but when it was a matter of notoriety

that many of the magistracy had committed acts of the greatest injustice, how much more impolitic would it be to do so? The chief justice of the court of King's Bench in Ireland had declared that the higher classes in that country were too often found "trampling on justice, and converting the law into an instrument of oppression against the weak and powerless." That was the character which the chief justice gave of the class of persons from whom the magistrates were selected, who, if the present bill should pass into a law, would be intrusted with the power of breaking into a man's house without the preliminary proceeding of information on oath. It had often been alleged against members on his side of the house, that they dealt only in general charges against the magistracy, and refrained from referring to any particular case. He would, therefore, on the present occasion mention two or three instances of the misconduct of the magistracy, which had been substantiated by evidence in a court of justice. At the last Waterford assizes, a magistrate named Boyce was prosecuted by a man named Ladall, for false imprisonment. Ladall, it appeared, was a tenant of Boyce, who wished him to give up the lease of his farm. Ladall refused to do so, and Boyce thereupon sent him to Bridewell on some false charge, where he was kept for fifteen weeks, at his own expense. At length he consented to give up his lease, and was discharged. The honourable member then mentioned another case, in which a magistrate had committed a man under the insurrec-

tion act, because he had neglected to pull off his hat when he came to consult him on business. When that was the way in which justice was administered in Ireland, let not the house be told that there was no ground for complaint on the subject. He asked the attorney-general for Ireland, who knew the magistracy of Ireland, whether he thought it was right to confer on them the power of breaking open a man's house, without information on oath? He did not wish to cast a sweeping censure upon the magistracy. He knew that there were many worthy men in that body; but he knew also that it was in proof that many had misconducted themselves. He called upon the house not to pass such an iniquitous bill. He implored the secretary for Ireland, who was responsible for the peace of that country, not to subject it to a measure which would lead to the most lamentable results. It was with the most unfeigned regret that he had witnessed such a measure proceeding from the Irish government, because, in other respects, he felt that the country owed much to that government. The Irish government appeared to him to be in this situation—they recognized sound constitutional principles, but seemed to be unable to carry them fully into effect. He trusted that parliament would consider the subject, and adopt measures which would either enable or compel the Irish government to do justice to the people placed under its control. The hon. gentleman concluded with moving, that the bill be read a third time that day six months.

Mr. Dogherty said, that the hon.

member who had just sat down seemed to insinuate that poor people in Ireland could not obtain justice. He was not bound, standing where he did, to answer for any seeming inconsistency into which he might have been led as an advocate. The bounden duty of an advocate was to make the best of his cause: the duty of a senator was to maintain the truth. He did not come before the house as an advocate; for, even at the moment he entered its doors, he had thrown off that character. But it was said that justice could not be impartially administered in Ireland: as far as his own experience went, he found that statement contradicted. In the course of his professional practice, he had been counsel for many individuals, catholics and poor people into the bargain, who had recovered large amounts, in damages, from persons who had oppressed them. In one case, in the county of Waterford, he had been concerned for a man of low rank, against a person of fortune, and a magistrate. Whether his client had been a catholic or not, he did not remember, but he had been poor, certainly, and grievously oppressed. In that very case he had not only gained a verdict, with a considerable sum in damages, but the defendant had been instantly stripped of his commission of the peace. Then, if justice could be done in Ireland between protestant and catholic—equal justice—certain, and impartial—he did entreat that there might be an end of that unworthy slander which gentlemen were apt to cast on the authorities of their country. He did not mean to say that the legal road was very smooth in Ireland—that

that it was quite clear, or that men could travel upon it without pain or cost; but where could they do this in England, or in any other country? After repeating that justice had been done in Ireland, and could still be done there, between man and man, without the aid of the Catholic Association, the hon. gentleman concluded by appealing to those who knew him, whether personal or political feeling had ever biassed him in the discharge of his duty?

Mr. W. Courtenay said, that he had always voted in favour of catholic claims; and believed their grant to be most important to the well-being of Ireland. But he supported the motion before the house, because he thought the existence of a society like the Catholic Association one of the heaviest afflictions with which any country could be visited. The hon. gentleman proceeded to contend, that the effect of the association, as interfering with the regular course of justice, would be most injurious, if not checked by the present bill. He maintained that an association, acting as this had done, and possessing resources which no individual could possess, was incompatible with the spirit of the constitution, and ought to be put down. He could assure the house, that feeling as he did on the general question of catholic emancipation, he gave his vote for this bill with regret; but he felt convinced that the tranquillity of the country absolutely required it. There was only one part of the bill upon which he had any doubt, and the existence of which might have induced him to oppose it—he meant that clause which gave authority to a single magistrate to

enforce the provisions of the act; but on this point he felt himself relieved by an intimation from his right hon. friend (*Mr. Goulburn*), that it was his intention to alter that clause, and to make it necessary that there should be more than one magistrate present in certain proceedings under it.

Mr. Sykes and *Sir J. Newport* spoke in favour of the association.

Mr. Goulburn said, he did not intend to delay the house by any lengthened observations, but he could not allow this last opportunity to pass without making a few remarks in reply to some of the objections which had been urged against the bill for the first time that evening. It had been asserted that this was partial legislation, and that the government had made no attempt to put down associations of a different description. He denied the fact, and he appealed to the statute-book for proof, that the house had legislated to put down other societies. Did hon. members forget the act passed in the year 1823, to put down associations of a particular description, by which orange societies, though not mentioned by name, were particularly aimed at? The honourable baronet (*Sir J. Newport*) had said that there was one law for the rich and another for the poor in Ireland. If that meant to convey to the house, that there was in that country, a denial of justice to the poor man, he begged to deny the fact; but if it meant only that great inconvenience was felt by a poor man in prosecuting a suit at law, it was no more than was felt in this country, and was incidental to the condition of the poor in every state. With respect to magistrates, he

he would assert, and he defied contradiction, that there was no such thing as a disposition amongst them to take bribes for the administration of justice to the poor. There might have been cases of injustice and oppression on the part of magistrates; but whenever a case of the kind came fully before government, there was no indisposition to exercise the authority with which they were invested, of removing such persons from the commission. In cases which affected the conduct of magistrates, and which became the subject of judicial inquiry, it was the constant practice of the Lord Chancellor to inquire into the merits of the case by taking the report of the learned judge who tried it, and to act by his opinion. This was done in the case of "Lawrence and Dempster." The right hon. gentleman then went on to contend for the necessity of such a measure as the present, to put down an association having a very dangerous tendency, and against which the existing laws afforded no sufficient protection. It had been said that the giving the power to a single magistrate to enforce this act in particular instances was without precedent; but did hon. members recollect that the convention act gave power, not only to a single magistrate, but even to a peace-officer, to prevent or stop a meeting held contrary to the clauses of that act? In the present act no such power was given, except to a magistrate. Yet even on this point he was ready to attend to the suggestions which had been thrown out, and to make the presence of more than one magistrate necessary in certain cases; and he

assured hon. members opposite, that from the first he was prepared to give his most patient attention to every suggestion by which the severity of this act might be mitigated as much as possible, without destroying its effect. He then proceeded to show that the statement made by the hon. member for Winchelsea, regarding the conduct of Baron M'Clelland on one of the recent trials in Ireland, was utterly without foundation. The hon. and learned member had stated, that the acquittal of the soldier was attributable to the interference of the learned judge in preventing one of the witnesses giving an answer to the question why he had omitted to state at the coroner's inquest that which he was then stating to the court. Since that statement had been made, he had received one communication from the learned judge whose conduct was impeached by it, and another from two of the counsel employed for the prosecution. Now, on the authority of the counsel, he could inform the house, that no such question had been proposed to the witness as was stated to have been objected to; and on the authority of the learned judge, that he had not put any stop to such investigation. The right hon. secretary here read Baron M'Clelland's letter to the effect we have stated; and then added, that he had the satisfaction of announcing to the house, that he had recently become acquainted with another proof the soldier's innocence. The learned judge had summed up the evidence on this indictment with so much minuteness, that in the course of it the counsel for the prosecution had said to a gentleman who sat next him,

him, "I wonder why the judge should give himself the trouble of charging on a case upon which there has been the necessity of a clear acquittal from the beginning." The hon. and learned gentleman had also made, upon what authority he knew not, another charge against the learned judge.

Mr. Brougham.—I made the charges on the authority of one of the counsel for the prosecution.

Mr. Goulburn.—The hon. and learned gentleman had said that the learned judge had not only forbore to defer a trial, the name of which was not mentioned, till the counsel engaged in it was sent for from another court, but had also refused to read over to him the evidence of the witnesses who had been examined previously to his coming into it. The right hon. gentleman here read a letter from the learned baron, stating, that as the name of the case had not been mentioned, he could not meet the charge made against him with as positive a denial as he had done the former charge, but adding, that he had no recollection of such a circumstance having occurred on the circuit, and that he believed that no such circumstance had occurred, as it was in direct contravention to the conduct which he had long been in the habit of pursuing towards the bar. After such a statement, he did not suppose that any body would again impute to the learned baron the glaring and criminal misconduct which had been attributed to him by the hon. and learned gentleman. He was sure that the hon. and learned gentlemen would be the first to regret that he had been led by false information to employ the weight of his great eloquence

in bringing such unfounded accusations against a judicial character, and he trusted that it would teach him to abstain from depicting him in future as a person who was half a tiger and half another animal which the hon. and learned gentleman had named, though unfortunately the word had not reached his ears. Such language was scarcely defensible when used towards an individual convicted of crime, but was quite unwarrantable when used towards an individual of the learned baron's high station and character. He was sure those that knew him would agree with him when he stated, that no individual discharged his functions more impartially, or oftener interfered to prevent the recurrence of the violent party disputes which so frequently came before the tribunals of Ireland.

Mr. Denman had waited with impatience for some explanation of the learned baron's conduct in the two cases which had been brought before the notice of the house; and now that the explanation had been given, he must observe that to him it appeared to be any thing but satisfactory. The learned baron had met the first charge with a positive denial. This was no more than might naturally be expected from a person in his situation. A learned counsel had, however, pledged his professional fortunes to the truth of the charge; and he could not see any reason why the judge was to be credited merely because he was on the bench, or why the barrister should be disbelieved because he was below it. If a man were to be considered innocent merely because he denied the accusation brought against him, why should not

not the Catholic Association have the benefit of the same doctrine? It had certainly every claim upon their indulgence; it had challenged inquiry into its conduct—it had offered evidence of its proceedings—that evidence had been rejected, and its guilt had been taken for granted, not only without producing any facts to establish it, but after shutting out from the public view every document except those miserable papers which were now poured in from every quarter to blacken the conduct and objects of the Catholic Association. Gentlemen on the other side had told them that they ought not to attack the absent. He wished that they would follow the advice they gave; and before they poured the vials of their wrath on the Catholic Association, would recollect that they had driven its members from their bar, and had not allowed them to refute the charges which they had produced against them. It was, however, quite ridiculous to talk of not attacking the absent, when it was of chancellors and of judges that they had to speak. Those persons could not hold seats in that house; but it was the duty of those who could hold them to remark, and to remark by name on their conduct if it were objectionable. Now, when he found the noble lord who filled the office of chancellor, acting as the head of administration, and putting language into the mouth of his colleagues which filled the country with astonishment, he should not be deterred by any invidious sarcasms from declaring his opinion of that noble lord's political proceedings. They were told that the noble lord, if his colleagues

would not adopt his language, intended to resign. When gentlemen on his side of the house intimated their doubts as to that point, they were told immediately, "It must be so, for the noble lord is a man of honour and integrity." And yet the men who told them so, were themselves men of honour and integrity, who agreed to adopt language as their own which they disapproved, rather than resign the good things of office. The hon. and learned member then proceeded at considerable length to argue against this bill, as one that was calculated to excite lasting discontent in Ireland; and implored the house, if it wished to re-establish itself in the confidence of the population of that country, to put down this association, not by the enactment of fresh penal laws, but by the repeal of those which already existed.

Colonel Forde bore testimony to the high character and impartial conduct of Baron McClelland as a judge, and declared his intention of supporting this bill.

Mr. C. Hutchinson proceeded to address the house, but was inaudible for the greater part of his speech, owing to the noise and coughing in the body of the house. The first words that we caught of his speech were these—"Gentlemen, you shall hear what it is my pleasure to submit to the house. You will only compel me to be ten times as tedious as I otherwise should be by attempting to cough me down. I trust, however, for the honour of the house, that you will hear me, for I represent a large body of men, who deem this question of vital importance to the interests of Ireland." The hon. member then proceeded, and much

much confusion, to reiterate his opposition to this abominable measure, which he considered to be full of mockery and insult to the catholics of Ireland. He trusted that if it were carried into a law in that house, the catholics would not only petition the house of lords to throw it out, but in case it passed there, would petition the throne to withhold from it the royal assent. After some further observations, he proceeded to remark, that he could not suppose that Lord Wellesley had the little-ness of mind to be envious of the fame which the Catholic Association had already acquired. He would beg to ask the secretary at war, why, in a time of peace, the house were, in a few days, to be called upon to vote 15,000 additional men to the army? It had been already stated, that government wanted but 5,000 men for India. What service, then, were the other 10,000 required for? Did they apprehend that there was any thing in the present aspect of the continental powers to call for such a vast increase? If not, he would ask whether ministers had purposely selected such a moment for insulting a catholic population of 7,000,000 of souls?

Mr. Peel assured the house that he would detain them but for a very short period indeed, if they would bear with him for that time. He was anxious to set himself right in some points, wherein what he had stated on a former night was more or less directly concerned. In the first place, he entirely acquitted the hon. gentleman (*Mr. Hutchinson*) of any intention to intimidate him personally, on a former night; and when the hon. gentleman threatened to bring all

the members, almost, on his (*Mr. Peel's*) side of the house to the block, he (*Mr. Peel*) never supposed for a moment that he meant any thing more than to speak of them in a general way, as in their capacity of ministers. But, most undoubtedly, in whatever way the threatening was meant, it would certainly never have the effect of making him swerve from that which he might conceive to be his line of public duty. It was impossible that he (*Mr. Peel*) should disregard an appeal which had been made to him also, by the honourable member for Taunton, in these discussions; for he had the highest respect for that honourable gentleman, who had raised himself to high rank and influence solely by his own great exertions, his talents, and his integrity. But the hon. member would pardon him for saying, that as in a very few days the catholic question must, in some shape or other, be forced upon the attention of parliament, he should decline, for the present, being tempted into any discussion on that measure, on the army estimates, or any other of the questions to which the honourable gentleman's speech had related. Differing as he did from so many of his hon. friends on the general question, he had yet supported concessions to the English catholics in the course of last session, and all his subsequent experience had confirmed him in the propriety of the step he had then taken. With respect to a question put to him on a former evening by the right honourable gentleman opposite (*Mr. Tierney*), as to what he (*Mr. Peel*) must have felt on hearing a right honourable friend describe Ireland to have been

been in 1821 a wreck upon the breakers, he begged to say, that he could feel no such displeasure as the right honourable member (Mr. Tierney) seemed to suppose; for what was the fact? It was precisely in that year that he (Mr. Peel) accepted the office of secretary of state. It was true that he had been before secretary for Ireland; but he had quitted office ever since 1816. It had been his wish, in that office, to have remained in Ireland another year, till 1817. Perhaps he might be allowed to say, that when he quitted Ireland, she was in a state of perfect tranquillity; there was then no Catholic Association, no catholic board, nor any thing of the kind. Though he could not give himself any credit on the score of this tranquillity, yet he might be allowed to remark, that it was rather a remarkable coincidence that the country was then tranquil, and that there was little or nothing of that spirit of exacerbation which had since so much affected the minds of men there. With regard to what had fallen on a former night from the honourable and learned member for Winchester (Mr. Brougham), he (Mr. Peel) now wished to repeat, as near as he could remember them, the very words he used in speaking of one of the most public and notorious acts of the Catholic Association. He said that they had committed an act of indiscretion, at least, by their address to Mr. Hamilton Rowan. He would now say, that to the speech of the honourable and learned gentleman in which that observation was commented on, he had listened with no feeling of hostility, and no other emotion but that of admiration for the

splendid talents which were evinced by the honourable and learned gentleman. The charge of indiscretion against the Catholic Association he (Mr. Peel) now repeated. The address made by them through their secretary on the same day with their address to the Roman-catholics of Ireland, was an act calculated to excite the alarm of all the protestant community of Ireland. The honourable and learned gentleman had expatiated on the excellent private character of Mr. Hamilton Rowan; contending that he was an excellent father, landlord, master—that he fulfilled with unimpeachable integrity all the duties of all the relations of private life. But had he (Mr. Peel) impugned the private virtues of Mr. Hamilton Rowan, or did the Catholic Association speak of them in their address to him? No;—and the Association addressed him as a man “whose life had been devoted, and almost sacrificed in the cause of his country.” It was therefore of Mr. Rowan, in this public light, that he spoke. The right honourable gentleman then recapitulated the heads of Mr. Rowan’s history, and the facts of its having appeared by the report of the secret committee of 1794, (which Mr. Peel had accidentally read,) that Rowan was accused of intercourse with an emissary from France, and of having plotted with him for the invasion of Ireland; of the manner in which his name was implicated on the trial of Jackson, though on that trial he had no opportunity of being heard in his defence; of his being charged and found guilty in 1794 of the publication of a seditious libel; that in the course of that imprisonment he was attainted for high treason;

treason; that he fled to France, and was never brought to trial for that treason; that subsequently his Majesty was graciously pleased to give him a free pardon; and that Mr. Rowan, on being brought up for his discharge, made a powerful speech to the Court, in which he acknowledged with gratitude the royal benevolence, and the care with which his wife and children had been treated, particularly by Lord Clare—one of the members (Mr. Peel observed) of the much-calumniated government of Ireland of that day—during his absence beyond seas. The hon. and learned gentleman argued, that though it was true that Mr. Rowan had been attainted, yet he had never been tried; that he was received into the best society of Dublin, and even by the lord-lieutenant, and noticed and confided in by those distinguished persons whom the hon. and learned gentleman chose to designate ironically as the pink of loyalty—Lord Manners and Mr. Saurin. The right hon. gentleman proceeded to read some passages from the “Letters of the United Irishmen to the Volunteers,” the libel for publication of which Mr. Rowan was tried, and the address of the learned judge to the prisoner on passing sentence, in order to prove the dangerous and seditious character of the paper. The house would do well to refer to that sentence, as they might find it in *Cobbett's State Trials*. But the hon. and learned gentleman had asked him (Mr. Peel) in effect, how he, as a member of the government, durst say any thing against Mr. Hamilton Rowan, who was received and patronized by the Marquis Wellesley, by

Lord Manners, and Mr. Saurin, and retained even in the magistracy? Peculiar stress was laid on this—that he was a magistrate. The confidence with which this statement was made had induced him (Mr. Peel) to believe it. But he had since referred to the Crown and Hanaper-office in Dublin, to ascertain whether such was the fact; and he had only to-day received an answer to his application. The reply was to this effect:—“On a search made, for the 20 years last past, in the records of this office, for all the counties of Ireland, it does not appear that there has been, during those 20 years, any person in the commission of the peace of the name of Hamilton Rowan.” He would now appeal to the hon. and learned gentleman himself whether he had not thus dashed from his hand the poisoned chalice which the hon. gentleman had commended to his lips?

Mr. Brougham begged to remind the house of the former part of the right hon. gentleman's speech of that night. He had begun with a very candid appeal to him, and the recollection of the house, in respect to his own statement of the preceding Friday, and his (Mr. Brougham's) answer to that speech. He repeated the words then employed as nearly as he could remember them; which were, that the conduct of the association in the matter in question had been equivocal, rash, and indiscreet. And any one who had heard the speech referred to about Mr. Hamilton Rowan, and who did not take his knowledge of it only from the abstract which was thus a second time furnished to the house, must have felt that its effect

effect was greatly exaggerated in the speech made this night by the right hon. gentleman. But still more must he have felt that the appeal which he (Mr. Brougham) on the former occasion had made to the candour and sympathy of the house, had been outrageously overcharged. But, in his recollection, there dwelt an impression of words used by that hon. gentleman in reference to the object of his (Mr. Brougham's) observations, so different in their spirit from the calm, the subdued, the very candid and plausible manner—so different from the tone of good feeling this night adopted by the right hon. gentleman—that in adverting to them he must declare that words less like than they were to what the right hon. gentleman now spoke of, he had never heard. "Would he (for that was the meaning of the right hon. gentleman's former appeal)—would he (Mr. Brougham) defend this Catholic Association, of which he professed himself to be the advocate and the champion, when in the very day of their declaration to the Roman-catholic population of Ireland, they issued an address, expressive of their love and veneration for an attainted traitor?" (*Loud and continued cheering.*) "Attainted traitor," those were the words that were employed. He appealed to the impartial, the calm-judging men of that house, who mingled neither with one side nor the other, whether such were not the right hon. gentleman's words?—the words uttered by him in the face of the country, without respect to the feelings of the individual, of his country, or his son? But he (Mr. Brougham) appealed to the better feelings

of the house—to the country, to the memory of the right honourable gentleman after one week's recollection of what he had said; he appealed to the right hon. gentleman, as placing himself in the situation of one of those gallant officers, whose distinguished bravery adorned a service, of which to be even amongst its lowest members was in itself a very high honour—he meant no other than Captain Hamilton,—whether to hear it publicly, not privately, but in the face of parliament and of the country, represented that his own father was an attainted traitor, was just or proper? The hon. and learned gentleman then said, that passing over much detail, of which in this case he was comparatively ignorant, he asserted that he had, on a former night, defended Mr. H. Rowan, and to that defence he still adhered. He had defended the Catholic Association; and that defence he felt himself bound to renew. The hon. and learned gentleman then adverted to the case of Jackson, and ridiculed the notice of Mr. H. Rowan, who had not been tried on that occasion, being affected by any thing which might be supposed to implicate him, coming out in the trial of Jackson for a libel; and in a case upon which Mr. Hamilton was not heard in his own defence. Then as to the trial which Mr. Hamilton did undergo, and of which the right hon. gentleman said so much: was it for a great crime?—a felony?—for any thing infamous?—for any thing that could justify another man in saying, under such circumstances, "that he was an attainted traitor?" No such thing; but he was tried for a libel. The right

right hon. gentleman must have reason to complain, if he thought that the course which was recommended so long ago, of seeking for redress of grievances and relief, was seditious; for it should seem that 30 years had not made the Irish any wiser. They now chose to intrust their petition into the hands of an hon. baronet, who was convicted of "seditious libel" on very similar grounds, by a justly-judging and correctly-feeling jury, who found him guilty of a libel of this sort; in consequence of which, he had been subjected to a long imprisonment, in the time of peace, on the very banks of that river that washed the walls within which they were now assembled. In farther allusion to the case of Mr. Hamilton Rowan, the honourable and learned gentleman observed, that in those troublous times to which the right hon. gentleman referred, the wisest of the sons of Ireland were uncertain of the course they should pursue, and might well be excused for any errors into which they fell in endeavouring to avert from their country the horrors of a civil war with which she was then threatened, and to which she must have been a prey had the system of that day prevailed much longer. Even Mr. Grattan was the object of secret proceedings in the privy council, as he believed. Consultations were held for his removal—for the removal of a man whose name was never mentioned even on the other (the ministerial) side of the house, without every expression of regard and veneration. The learned gentleman then entered more fully into a defence of Mr. H. Rowan's conduct, in reply to the animadversions of the right

honourable gentleman, but he was at last interrupted by a loud cry of "order!" He wished the hon. gent. who cried "order," would resume the deep slumber in which he must have been wrapped for the last half hour; for nobody who had been awake during that time, and had listened to the very important discussion which had been proceeding, could have thought of interrupting it by such a cry of "order." There were so many errors in public documents, that he might safely admit it to be possible that Mr. Rowan had not been in the commission for twenty years past. The clerk of the hanaper might be right, and his informants, three in number, might have innocently erred in their statement of that fact. At any rate, he (Mr. Brougham) stood acquitted. He defied any man to hear that statement, and find it supported as he did, without at once receiving and confiding in it. There were other statements to which he felt bound to refer. The question of Mr. Rowan being a magistrate or not, was only one circumstance: that circumstance being excepted, his defence of that gentleman was left impregnable. He had been restored by a free pardon: was not that enough? He was re-admitted to his rights as a free subject: was not that enough? He was received at court: was that nothing? He was allowed to act upon the grand juries: was not that a function to give a man consideration—when he would have to sit upon criminal offences, perhaps in cases of high treason? He had been admitted at the levee: was that nothing? Did it speak nothing for a man's character, that he was well received at the Castle by one

one lord-lieutenant after another? One of those noble personages who had held that distinguished post, who was not at all more interested, either from property or feeling, in the propagation of treason and disaffection, than the right hon. gentleman opposite, had authorised him to make use of a statement which he had made regarding the character of this gentleman. They, of course, considered themselves as the only legitimate defenders of the throne and the altar—they alone, so their manner would intimate, were the only ones who did not foster rebellion and sedition. It was his practice to believe that persons, like the Duke of Bedford, from the stake which they held in the country, and from their known and unquestioned loyalty, gave as sound pledges for themselves, and were as likely to be as earnest in their wishes to maintain the peace of Ireland, as any of the right hon. gentlemen opposite. These were the words of the Duke of Bedford: "One of the first of my official acts was to recommend to the crown to grant a free pardon to Mr. H. Rowan. No one act of my administration has ever given me more satisfaction, because I am convinced that a more honourable and respectable man does not exist in all Ireland." Be it known, then, that the most grievous charge against the associations amounted to this—that although he was no magistrate, they had pointedly shown their regard for a man, than whom a more honourable and respectable one could not be found in all Ireland. He would press this matter one step further. Who was entitled to call him traitor, if the sovereign who had pardoned

him, has since smiled upon him also? His Majesty himself did that very thing, for imitating which his Majesty's ministers accused the Catholic Association. When the sovereign had received him at the levee, no man living could charge, no man living ought to charge the association with the slightest degree of indiscretion, in manifesting their respect to him. He repeated his opinion, that this gentleman had been ungenerously, unnecessarily attacked, and he envied not the feelings of those who, perhaps to round a period, or at any rate to make an impression, could indulge in such a charge. "Yes—received at court by the advice of the ministers themselves—but of that I take no advantage." One word as to the observations which he had made upon Baron M'Clelland. He had before given his reasons for believing in the statement made to him respecting those transactions: he still believed in that statement. He had his information from a gentleman whom he knew, who was of counsel in the cause. The answer of the learned baron was with respect to one of the cases specific—in the other, his reply was general and argumentative. He found nothing in either of the answers to alter his belief, or effectually to meet that statement. As to the character of the learned baron, he had been accused of using strong language—of attributing to him very extraordinary and almost indescribable baseness and cruelty. He appealed to the recollection of the house, if he was not wronged in the representation of what he had said. He had in the most marked manner introduced those expressions as some which were applied

applied to the learned baron by an hon. member of the house.

"Non meus hic sermo, sed quem precepit asellus,

Rusticus abnormis sapiens crassusque Minervæ."

So he believed the verses ran. But he was not answerable for that description of the learned baron: It was given by one who knew him much better than he did. Whether just or not might soon be known, if it should be the pleasure of the house to inquire into it: an opportunity would soon occur. A gentleman was coming over to support a petition which had been presented two years ago, whose desire was to be allowed to prove his case at the bar of the house, and he would undertake to make good charges of malversation against Baron M'Clelland. Whether made out or not upon hearing, was nothing to the present purpose. He had stated what he had heard and believed—what he still must believe—because of the defects in the answer of the learned baron. It was not necessary that he should add more in his objections to the bill. He deplored its progress deeply: he denounced it as the harbinger of ill: it was his unalterable opinion, that it would produce tremendous mischief; that it would break up that short-lived tranquillity, which they owed to the exertions of this association. He called the house once for all to pause. It was not a measure directed equally against orange and catholic associations, but against catholic associations. He had hoped, if not for the substance, at least for the semblance, of even-handed justice. The catholics were forbidden to associate, while the

orangemen were allowed that privilege. (*Cheers, and cries of "No!"*) He said it was so. The orangemen were prevented from associating in secret, so were the catholics. But the catholics were also prohibited from meeting in public, in order to obtain any alterations in the affairs of church or state. Who ever heard of orangemen wanting any alteration in church or state? Their petitions were to maintain things as they were. They were only too glad to have them remain; alteration would annihilate them and their hopes. Under the mask of an equal law, which would scarcely affect the orangemen, they were drawing a double edged sword against the catholics. The orange party might have a parliament, and all the regulations which were denied the catholics, provided that they sought no alteration in church or state? Why should they? They felt no grievances, and they could wish for no alteration. The catholics only had grounds for complaint. They alone wished for alteration: and this the house called justice! This was dealing equally between the two parties! His last prayer was, if they would persist in this act of hostility to the catholics, this grievous measure of injustice, which went to shut the gates of justice (he might almost say of mercy) upon Ireland, that they would think deeply of it between this and Tuesday night. Then, if they were men consistent in their feelings—if they were not dead to the voice of justice, policy, and reason, late as it would be, yet not being too late, they would gladly retrace the steps which they had so madly taken; and, instead

instead of this bill, they would give emancipation.

Mr. Peel explained; after which the house divided—for the third reading, 226; against it, 99. Adjourned at a quarter before one.

House of Lords, Feb. 28.—*Lord Melville* rose, pursuant to the notice he had given of his intention to introduce a bill for better regulating the mode of choosing juries in Scotland. The bill was read the first time.

Mr. Goulburn, and others from the commons, brought up the bill for suppressing unlawful societies in Ireland. The bill was then read.

Several petitions were presented against the unlawful societies' bill, and some in its favour.

The *Bishop of Bath and Wells* presented a petition from the city of Bath, in favour of the bill for suppressing unlawful societies in Ireland, and against the catholic claims. It was signed by 300 persons. The right reverend prelate also presented a petition to the same effect from the archdeacon and clergy of the diocese of Bath and Wells. This last petition, which was drawn up in strong language, intimated in one passage, that the catholics had covered their designs with a cloak of loyalty, which they had now thrown off, and were proceeding to threaten.

Earl Fitzwilliam rose to express his disapprobation of the spirit in which the petition was conceived. He condemned the use of such language as that which the petitioners used, on account of its impolicy, as well as its illiberality and injustice to the catholics. We understood him to object to petitions from the clergy for the exclusion of others from

constitutional privileges, as coming from an interested body. If a rich corporation petitioned for objects which were supposed to favour its interests, why might not the army be allowed to petition in the like manner? He condemned all penal laws for opinions—all attempts to control the consciences of men. Such conduct was flying in the face of heaven, and it was dreadful to think of the consequences which might follow from thus persisting in inflicting misery on six millions of human beings. He wished their lordships to recollect that the only pretext for this manner of proceeding was a conscientious difference of opinion in men who acknowledged the same Saviour, and, in all its great principles, the same faith as themselves.

The *Bishop of Bath and Wells* was surprised to hear what had fallen from the noble earl respecting the language of the petition. What had been stated, however, consisted altogether of general assertion, which he could only answer by a general negation. In his opinion, the sentiments contained in the petition reflected credit on those from whom it came. He was not aware of any improper language in it; if there was, the noble earl had not pointed it out. He hoped he should be excused from following the noble earl in the observations into which he had entered on the general question of the Catholic claims. The noble lord had drawn a sort of analogy on the subject of the petition, but it was an analogy without any similitude. He could not see why petitions against a measure should not be received by persons whose interests might be

be affected by that measure; and in the present case, he thought the clergy had as good a right to petition as any other class of his Majesty's subjects.

Earl Fitzwilliam explained. He pointed out passages of the petition which ascribed designs to the catholics, which the petitioners could not know to be true, and ascribed motives to them which they disclaimed.

The *Bishop of Bath and Wells* again explained, and contended, that as petitions had come at different times from every body of men in the kingdom, and had been received, he could not see why the petition of the clergy of his diocese should be refused. If any thing could show the unreasonableness of this exception, it would be the reception of a petition which professed to come from the whole body of the catholic priesthood of Ireland.

Lord Holland observed, that the question which arose out of this petition was merely one of order and regularity. For his own part, always inclined to open the widest door to the applications of the people, he would make no objection to the reception of this petition. But if the right reverend and learned lord (the *Bishop of Bath and Wells*) thought that it was regular to receive petitions so circumstanced as this, he laboured under a mistake. Petitions which professed to come from corporate bodies must have the corporation seal attached to them, otherwise they could only be considered as the petitions of the individuals who signed them in the name of the corporation. But though the present application wanted this official mark, he (*Lord*

Holland) was still willing to receive it. He would receive it notwithstanding the absolute falsehoods which it was said to contain—notwithstanding the gross allegations of improper motives with which it was filled—notwithstanding the spirit and temper which it displayed, and which he needed not to characterize. His willingness to admit it, therefore, was entirely independent either of the regularity of its form, or the nature of its contents; and arose solely from the general principle on which he acted, to listen to the representations of all persons and classes who addressed the house. The petitioners in this case came before their lordships *humbly* representing their views and their fears; but what evidence did they give of christian humility in their arrogant denial of equal privileges to their christian brethren? They professed their regard for christian establishments, but showed none to christian charity. His noble friend (*Earl Fitzwilliam*) had objected to the petition, that it contained imputations of motives which the petitioners could not prove, and asserted facts, of which the catholics could establish the falsehood. When this was denied by the right reverend and learned lord (the *Bishop of Bath and Wells*), his noble friend had justified his assertions by an appeal to the words of the petition. It broadly stated that the catholics avowed the doctrine of the Pope's supremacy in civil matters—an assertion which the catholics, or papists (as they were called), denied. It next asserted that the real object of the catholics was to overthrow the protestant church establishment, and possess them-

selves of its revenues; and this the catholics denied. It did not well become a body of men professing to act under the influence of christian charity, to suspect lightly the motives of others, even when there existed reason for suspicion; but no man with the least pretensions to candour or justice, or comprehending even the meaning of true charity, could impute bad motives to his neighbours where none existed, or ascribe designs to them which they disavowed. But it was said, the designs imputed to the catholics in the petition were avowed; if so, where? In every petition presented to the house for catholic emancipation, which he (Lord Holland) had seen, so far were designs against the establishment of the country from being avowed, that they were distinctly disclaimed. In the general catholic petition presented lately to the house, not only were such designs disclaimed, but the principles of civil and religious liberty were eloquently stated and enforced. Notwithstanding the character of the petition, he again repeated that he was willing to receive it, though it contained falsehoods, and imputed criminal intentions; but it should not be thought strange that his noble friend (Earl Fitzwilliam) who knew best the calumniated body to whom it applied, should stand up and point out its objectionable passages, especially when it was considered as coming from a learned body, whose knowledge and profession might be supposed to confer authority on its statements.

The *Bishop of Hereford* said, that the assertion about the doctrine of the Pope's supremacy in the petition was not made on light

grounds. This doctrine was not disguised or disclaimed by the catholics in his diocese: it was openly avowed. There was a catholic journal, which was extensively circulated among that body, which had lately asserted the doctrine in its full latitude. The editor, in speaking of a late ordinance of the King of France, disapproving of the conduct of a cardinal for compromising the liberties of the Gallican church, said, that he could not agree with the views of the French government on this occasion, because the King had no title to interfere with the conduct of the church to the injury of the indefeasible rights of his Holiness the Pope. The same doctrine was asserted by all the Roman-catholic priests of Lancashire. They made no scruple to say that the churches of this kingdom had been their's once, and that they expected they would be their's again. The noble baron opposite (Lord Holland) imputed a want of charity to the petitioners for suspecting the designs of the catholics, and had found fault with some allegations in the petition. He (the *Bishop of Hereford*) did not entirely approve of all the expressions in the petition. There were some of them that he would have been glad to see expunged; but it would be hard to refuse conscientious men the right of making known their fears, and raising their voices in defence of our establishments, though they might, in their sincerity and honest conviction, employ a greater severity of terms than the occasion warranted. If he wanted any farther excuse for such conduct, he might find it in what the world looked upon as a justification—

namely,

namely, a similar harshness of language in the opponents of the petitioners. The worthy clergymen of the establishment who conscientiously discharged their duties were styled "hungry protestant parsons" in all the publications of the catholics. He did not mean to detain the house with any further observations, but he could not sit silent while he heard the conduct of the petitioners arraigned, and motives imputed to them which they would disclaim.

Lord Holland explained.

The *Bishop of Bath and Wells* said, he had looked over the petition, as any other member of the house would do a petition which he was requested to present. He had observed nothing in it objectionable in point of language, and, therefore, he had presented it. With respect to the imputation of motives, he thought that the petitioners had more reason to complain of that than those against whose claims they petitioned. A noble baron had ascribed to them motives of an objectionable kind.

Lord Holland denied that he imputed any motives to the petitioners.

The *Earl of Carnarvon* had no objection to receive the petition. He did not disapprove of churchmen petitioning on public measures any more than any other class; but he objected to their separating themselves from the great body of the people in their applications. If he (*Lord Carnarvon*) were a clergyman, he should feel a distrust of his own impartiality in a matter which had reference to the establishment, and would not petition, lest he might be actuated with prejudices

which rendered his opinion of no value. The petitioners had not shown this prudent distrust, but had completely justified its necessity. They evinced the strongest bias, and were actuated with prejudices which led them to distort facts. The petition prayed that the house would protect our established religion, which was threatened with spiritual tyranny and oppression. What man could look around him in the country, and witness the situation of the two systems, and say that the protestant body was threatened with spiritual violence, oppression, and tyranny from the catholics? He (*Lord Carnarvon*) had always heard it represented that the tyranny and oppression was not only threatened, but inflicted from the other side. However this might be, there certainly was spiritual coercion. The noble earl concluded by expressing his regret that the petitioners should have thrown such discredit on themselves and their order by the uncharitable nature of their allegations, and the falsehood of their assertions. They had justified *Lord Clarendon's* character of churchmen, who said, that of all classes of men the clergy were on general subjects the least informed, and took the most incorrect view of human affairs.

Lord King expressed his belief that such a petition could not have come from any other corporation or place in the kingdom than from the wise men of the diocese whence it issued. Such a mass of nonsense could no where else have been concocted. The clergy in that town were entirely in the dark. They read and knew nothing. They had not even perused

the liberal proclamation of the liberal king of Hanover. He wished the right reverend prelate of the diocese would take that proclamation and hang it upon the door of his private chapel. He would probably be asked by the petitioners, "What have we to do with Hanover?" as it had anciently been asked, "what good can come out of Nazareth?" He would say, much good can come out of Hanover, if the rev. gent. would read that liberal proclamation. — The petition was then received.

A similar petition was presented from the archdeaconry of Colchester.

Lord Cliften observed, that our church was called a poor church, and so it was if the livings of some of its members were considered; while it must be called a rich church, if its higher emoluments were taken into the account. The inequality of livings was a great evil. We found clergymen with 20,000*l.* a year, and others with 25*l.* A poor curate in his neighbourhood performed the duties of two parishes, and had only 25*l.* for each.

The petition was received.

The *Earl of Roden* presented a petition from the county of Down, in favour of the bill. — Adjourned at half-past 7 o'clock.

House of Commons, Feb. 28. — The house resolved itself into a committee of ways and means; and

The *Chancellor of the Exchequer* rose to bring forward his financial project for the year. In setting out, the right hon. gentleman said he could not forbear pausing for a moment, to congratulate the house upon the peculiarly auspicious circumstances under which it was called on to review the finances of the country. He did

not advert to this topic for the sake merely of introducing flourish, or from any desire to lead the public mind to indulge in too sanguine expectations for the future: he had no purpose to do any thing like this; and though there might perhaps be persons in the country, who, jealous of increasing prosperity, and ignorant of the causes by which that prosperity had been produced, might say that we stood on an eminence that was perilous —

" ————— numerosa parabet,
"Ex celsæ turris tabulata, unde altior esset,
"Casus, et impulsæ præceps immane
ruinæ," —

though there might be persons inclined to predict this, still he would venture to declare, that their view would be mistaken; and if it should turn out upon a calm examination, that there was nothing doubtful about the present prosperity of England — nothing hollow in the foundation of it, or artificial in the superstructure, then he did think that the house might venture to contemplate that happy state with satisfaction — to admire the harmony of its proportions, and the solidity of its basis; nor could any one look at the situation in which we stood, and apply his mind philosophically to the causes which had led us to it, without seeing distinctly the course of policy which it was necessary for us in future to adopt, in order at once to consolidate our own resources, and to assure the safety and the happiness of the world. Under this impression, therefore, as to the condition of the country, and desiring to keep always in mind the sources from which its advantage had been derived, he would now call the

attention of the committee more particularly to the present subject of discussion; and he would begin that work by exhibiting a simple comparison of the actual revenue of the past year, with the estimate which he had formed of its probable produce at its commencement. At the beginning of the last year, he (the Chancellor of the Exchequer) had assumed, then, that there would be, at the expiration of it, a surplus of revenue to the amount of 1,050,000*l*. Upon that assumption, and carrying its views forward as far as the year 1827, the house had proceeded to effect a considerable reduction of taxes—amounting, in fact, in the course of the year 1824, to no less a sum than 1,260,000*l*. According to the estimates then presented, he had calculated, that upon that sum one half would be lost to the revenue in the course of the same year—the year now past. If, therefore, at the end of the year 1824, the surplus had amounted to 400,000*l*. instead of 1,050,000*l*. his estimate would have been completely realized, and every expectation held out by him would have completely taken place; but instead of merely finding this the case, he had the satisfaction to state, that, notwithstanding the reduction of taxes, and the loss of revenue sustained by it, which loss had proved more considerable in the end, than in the outset he had apprehended, owing to some changes which had taken place, by which the reduction of certain duties was increased;—notwithstanding all this, he could state to the house, that after applying 5,150,000*l*. to the reduction of debt, the net surplus of the year 1824 was 1,437,000*l*. An amount

not merely exceeding that which was sufficient to realize all her expectations, but exceeding as by a very considerable sum, even what he had conceived the possible surplus, if no reduction of taxes had taken place. He was sure the committee would pardon him, if he went on to state a short series of details, connected with the particular branches of the revenue in which this increase had taken place. He had calculated, at the commencement of the last year, that the produce of custom-house duties would be 11,520,000*l*. Of those duties, no less than 900,000*l*. had been repealed in the course of the year. The loss which that branch of the revenue had sustained by that repeal had, no doubt, been at least equal to the whole amount estimated; because it happened that, in order to give more effect to the execution of the new law as relative to silk, 460,000*l*. had been paid in bounties to persons holding stocks of that article. Add that to the reduction of the duty, and the entire loss to the revenue from that cause could not be less than 900,000*l*.; and, in fact, exceeded that sum. But, at all events, suppose the customs of last year to have produced only 11,050,000*l*., and his estimate would have been realized; while, in fact, owing to the improvement in every branch of revenue, the produce had been no less than 11,327,000*l*.; and this result not only exceeded considerably what was sufficient to realize his estimate, but would have actually been greater by the sum of 460,000*l*., but for the monies which it had been thought advisable to pay to the holders of silk. Now what were the circumstances

stances which had led to this increase? The proximate cause was, partly that greater capacity of consumption of all articles of foreign produce, which the general ease of the community invariably led to; and partly to the increased capacity which foreign nations had acquired for consuming the produce of England, in proportion as they had enjoyed the means of disposing of their own in English markets. He trusted not to hear it said that this prosperity was accidental or uncertain—that it arose from casual causes in one year, and could not be depended upon for a second. He (the Chancellor of the Exchequer) believed that it rested upon principles quite the reverse of changeable or fleeting—that it rested upon that principle in the very constitution of human society, which disposed one nation always to open its arms to another; thus new connexions created new wants, new desires, new conveniences; and these very wants, creating fresh means for gratifying them, contributed still to the general happiness of mankind. These were principles which might be impeded, but which could not be destroyed. War, or public calamity, might check their progress; but, in the end, they would always assert their sway. That, though diverted from their proper channel, they would not fail to return to it, was pretty evident from the example of England; they had been seriously counteracted with us by injudicious legislation; but their natural tendency was to extend themselves throughout the world, and to confer new benefits on every branch of the community. Therefore, though the pro-

gress of the prosperity which we now enjoyed might be arrested by accident, the basis on which it rested was incapable of being shaken; and if we added to that fact the peculiar circumstance—the new discoveries in the application of steam—which afforded such an astonishing increase of rapidity to our powers of production, he did think, that looking at these facts, no one could fairly accuse him of over-rating the advantages or security which we enjoyed; and that we might properly take the revenue of the last year, as a foundation to calculate upon for that of years to come. The next branch of revenue to which he wished to call the attention of the house, was one which, in point of amount, was the most considerable; and, looking to its connexion with the domestic comforts of the people at large, the most important perhaps of any in the state—he alluded now to the revenue derived from the excise; and, upon this point, he had the satisfaction of stating, that the produce of duties received in the last year had not merely exceeded that of every year before, but had greatly exceeded the amount at which he had presumed to estimate them. The revenue of the excise for the last year, he had only estimated at the amount received the year before. He had assumed that it would produce 25,625,000*l.*; but, in effect, it had produced 26,768,000*l.*; being an increase, upon the last year, of 1,143,000*l.* This would be matter of congratulation and comfort, he trusted, to every one who cared for the interest or happiness of those by whom he was surrounded; nor could he doubt that it would

would be entirely so to the hon. persons whom he was addressing. It would be too much, perhaps, to trouble the house with going into so much detail; but he had a paper in his hand from which it appeared that in every exciseable article, except those of very mean importance, an increase of consumption had arisen, which could only have followed an increased state of ease and happiness throughout the country. A few of the items he would mention—not to dwell upon them, but just to show the relative amounts of improvement. In many cases the increase had not been in the year 1824 upon the year 1823, but upon the three years preceding. Upon the auction duty the increase was 12 per cent.; strong beer, 15 per cent.; table beer, 12; bricks, 40 per cent.; tiles, 15; tallow candles, 9 per cent.; wax candles, 8; coffee, 6; cocoa, 5; glass, 20; cider and perry, 12; leather, 12; licences, 7; malt, 3; writing-paper, 12; and coloured papers, 20. On salt, the increase was 12½ per cent.; British spirits, 16 per cent.; tobacco, 6 per cent. The right hon. gent. then enumerated a variety of other exciseable articles on which a very considerable increase of revenue had accrued beyond what he had estimated last year—an increase which, while it afforded great gratification for the present, gave also the most unquestionable grounds for a prospect of still greater increase in succeeding years. He would now come to the item of stamps. The committee would recollect, that after his first statement of finance last session, he gave it as his opinion on a better consideration of the subject, that a reduc-

tion of the duty on law-stamps ought to take place. The amount which that reduction would take from the revenue he calculated at about 200,000*l.* The whole amount of the stamp duty last year was calculated at 6,800,000*l.*; but it did produce 7,244,000*l.* So that by this unexpected increase, we had all the projected advantages of cheap justice, without any deduction from the amount of revenue at that time calculated. The revenue from the post-office might last year be estimated at 1,460,000*l.* It amounted to 1,520,000*l.* The committee would recollect, that when last year he estimated the produce of the several sources of income, he kept himself within bounds, and had considerably under-rated the probable amount of each. He was justified, then, in pursuing the same course for the ensuing two years, and in taking for his basis that ground which had last session been adopted by parliament. Having thus explained the amount of the revenue of last year, as compared with the estimate which he had ventured to make, he would now proceed to state the estimate of that of the present year, and the basis on which he went in assuming it: but first he would state the total amount in figures, and afterwards would state the grounds on which he assumed that amount. The total receipts of 1825 he calculated at 56,445,370*l.* The expenditure he estimated at 56,001,842*l.* leaving a surplus on the year of 443,528*l.* The first item of revenue was the customs. In the present year he took them to amount to 11,350,000*l.* This considerably exceeded the produce of the estimate of the year past,

past, and he had already said enough to show the reasonableness of taking the basis of that year in assuming the produce of the present, deducting the amount of the taxes repealed, which would come into operation in the present year. Taking, then, the produce of 1824 at what he had stated, he would add the sum of 50,000*l.* as arising from the abolition or gradual reduction of certain bounties and drawbacks, which parliament had very wisely determined to cut down. He would then take the payments which had been made last year on account of silk on hand, and the total would be 11,837,741*l.*; but taking from that the amount of taxes repealed last year, which would come into operation in the present, and which he calculated at 410,000*l.*, the total of the customs this year would amount to 11,427,741*l.*; but he would not risk the full amount. To give, as it were, elbow room to the several branches of that item, he would take it at a less sum, and make the whole 11,350,000*l.* The excise of this year he estimated at 26,400,000*l.* Last year it was 26,768,000*l.* but from that was to be deducted the duty which had been taken off salt, and part of the duty on rum, which had also been taken off, it would leave a sum as the probable amount this year, of 26,531,000*l.*; but to take it at an even sum, and to be rather under than over, he would state it at 26,400,000*l.* The stamps he would take at 7,100,000*l.*; the assessed taxes and land-tax at 4,875,000*l.*; the post-office at 1,500,000*l.*; and the miscellaneous at 750,000*l.* This was greater than the amount of last year; but in this

year there was to be added 100,000*l.* to be received from the Netherlands, in consequence of an arrangement with that power respecting some settlements in India. Thus the total income for the present year would amount to 56,445,370*l.* The expenditure would be, first, that of the consolidated fund, and interest and management of the national debt, he took at 27,233,670*l.*; the interest on deficiency exchequer-bills 40,000*l.*; interest on the exchequer-bills, voted as supply, 820,000*l.* The interest last year was 1,050,009*l.*, but the amount was this year reduced by the reduction of interest on exchequer-bills. The sinking-fund he calculated at 5,486,654*l.* This amount was greater in consequence of paying the dissentients from the redemption of the four per cents. The next amount was the army, which, including the army extraordinary, the commissariat, and the expense of calling out and training the English and Scotch militias, he estimated at 7,911,751*l.* It was not his intention to enter on this occasion into any detail of explanation respecting the increase of our army. He had hoped that that would have been done by his noble friend (Lord Palmerston) before he (the Chancellor of the Exchequer) made his statement, and no doubt his noble friend would have done so in the course of last week, had he not been prevented by the protracted discussions on another subject. But the committee would see that any discussion respecting the amount of our armed force would be foreign to the question then before them. The navy of this year he took at 5,983,126*l.* The civil

civil list 2,050,000*l.*; the half-pay 2,800,000*l.*; the ordnance 1,376,641*l.* and the miscellaneous expenditure he calculated at 2,300,000*l.* There was a considerable increase, in consequence of calling in the miserable Irish tokens, and by a payment made to America pursuant to the stipulations of the treaty of Ghent. The sum thus paid was about 250,000*l.* which America claimed as compensation for slaves which had been taken and placed under the protection of the British government, but which were the property of American subjects. The amount of the claim had been left to the arbitration of Russia, and that power had awarded the sum he had mentioned. The result of the items he had mentioned was, that a surplus would be left on the account of the present year, amounting to 443,528*l.* Now, it might be asked, how could this surplus apply to the years 1826 and 1827? He would say, that assuming as the basis of the receipts of those years that of the year 1824, (and it was already shown that the assumption went on very probable grounds), and not assuming any increase for those years, the result would be, that the net revenue of 1826 would be 56,195,000*l.* and the expenditure, 55,330,324*l.* leaving a surplus of 864,676*l.*; and taking the year 1827 on the same principle, it would give an income of 56,360,000*l.* and an expenditure of 55,105,324*l.*; leaving a surplus of 1,254,676*l.* It might be asked, how the income of 1827 should exceed the expenditure by so large a sum? He would inform the house, that it was calculated to arise from a measure which he would submit in the course of the

present session, and the outline of which he would now state. The committee were aware that, in the discussion which took place last session on the duties on sugar, it appeared that a considerable sum was paid as bounties on the exportation of that article; and according to the scale of duties paid, it was evident that the bounty on the exportation exceeded the amount of duty paid by three shillings in the hundred weight. When a discussion arose on a former occasion, those duties were laid on an ascending scale according to the price, so that while the duty was no more than 27*s.* the drawback amounted to 30*s.* Now, he contended, that this arrangement rested upon no sound principle, for foreign powers, who saw our error in this point, were disposed to take advantage of it; and by laying additional duties on sugars exported from England, and imported into their states, they put these three shillings bounty into their own treasury. The committee would admit, that the continuance of such a system on our part would be absurd. However, it might, perhaps, interfere with several existing interests to have this drawback or bounty repealed all at once, he would therefore propose that, from the 26th of July, 1826, it should cease altogether; and that the scale of ascending duties should also cease to exist. It was true, that this regulation might affect some interests, but it was right to state that those interests might be compensated on other points, by a reduction of the duties on other articles of their produce. The result of the calculations which he had detailed to the committee was,

was, that there was a surplus from 1824 of 1,437,744*l.*; from 1825, of 443,528*l.*; from 1826, of 864,678*l.*; from 1827, of 1,254,676*l.*, being a total of 4,000,624*l.* When he had made this calculation last year, he had been asked what he would do with the surplus? He now answered that a great deal might be done with it, and he thought he could satisfy the house that the application of it which he would recommend, would be most advantageous, looking to all the interests of the country. He thought those interests would be best consulted by endeavouring to extend that prosperity upon which we now congratulated ourselves to all parts of the world to which our trade had reached. He had three objects in view in the application of our surplus revenue in those years. The first was to extend our commerce, by increasing the facility of consumption of foreign produce in this country: the next was, the carrying farther the attempts which had been made to exterminate that monstrous evil, smuggling; and the third was, the remission of a portion of direct taxes, provided he was not driven by that to an abandonment of the two other points, which he considered of much more importance to the general interests of the country than the partial remission of direct taxes. He knew well the feelings which were entertained on this subject. He knew it was said that ministers might obtain a great accession of popularity by the repeal of the assessed taxes. He did not wish for popularity when it was to be obtained at the expense of the better interests of the country; and that those inter-

ests would be sacrificed if the two points to which he had adverted were neglected, he entertained no doubt. The benefit to be derived to the nation from the repeal of the assessed taxes would be very trifling indeed if put into competition with the good effects which might result from an attention to the two other points he had stated. To come to the first of these—that of an extension of our commerce with foreign nations—it was to be observed, that the house had already admitted the principle for the extension of which he contended, by the good sound sense it displayed in getting rid of many of those prohibitory duties which so long fettered our intercourse with foreign nations. Much, he admitted, had been already done in this respect, but much still remained to be done; and he hoped that no great length of time would elapse before his right honourable friend (Mr. Huskisson) would have to submit a motion for the repeal of the whole of the duties on foreign produce. He was satisfied that such a measure would not interfere injuriously with our domestic produce, but would, in the end, be found of the utmost advantage to every class of the community. It would be unnecessary for him at that moment to go into the detail of all the articles of foreign produce upon which the very high, and, in many cases, the prohibitory duties ought to be withdrawn, but there was one upon which he could not avoid saying a few words—he meant foreign iron. He hoped that those engaged in the production of iron at home would not object to the introduction of foreign iron. Indeed, if they consulted their own interests they must

must be aware that such a measure would, in the result, be to their advantage. The price of iron had lately risen to an enormous height, not from any new speculation in that article—not from any belief that the country was to be covered with iron railroads, and that all the iron which could be dug out of the bowels of the earth would be required to supply the demand; but from a general increase of trade produced by the increased and increasing comforts and prosperity of the people in this and other nations. The fact was, the supply of iron in this country was not at all in proportion to the demand. He knew that there were at the present moment, foreign orders in Sheffield and Birmingham, which could not be executed, because the manufacturers there could not supply the articles at the price which the foreign customers could afford to pay. The consequence was, that several such orders had been withdrawn, and were sent to other countries, where, though they could not be executed in the same good style, yet, as being much cheaper, they were preferred by those who could not afford the higher price. Surely it was not sound policy in this country to continue restrictions which had the effect of thus crippling a very important branch of her manufacture. He was happy to say, that very many of the ironmasters whose transactions in that trade were most extensive, did not object to the measure which was about to be proposed, of reducing the duty on foreign iron. They were above the narrow and selfish policy of opposing the introduction of a foreign article which might

seem for a moment to come in contact with their own trade, but which in reality would be a benefit to them by giving an increased stimulus to other branches of our domestic manufacture. He thought the interests of the community would be best consulted by reducing the duty from 7*l.* to 1*l.* 10*s.* As the high duty had acted as a kind of prohibitory duty on the importation of foreign iron, the immediate loss to the revenue would not be any thing worth naming; but he was certain that before the end of the year, it would be found that the low duty would have made a considerable addition to the income from customs. It was to be observed, however, with respect to this particular duty, that the change from the high to the low duty should be effected with caution, and should not be made with respect to all countries at once; and this was his reason—one of the objects which he had in view in removing those high prohibitory duties was to set to other nations an example of what would in the end be for their as well as our interests. Some countries had already shown a disposition to avail themselves of it; but it could not be expected that all countries would at once enter into our feelings on the subject. We ourselves, it should be recollected, were a long time before we got rid of the trammels which fettered our trade in these points. There were, however, some states who were willing to adopt our regulations, and to open their ports to articles of our produce. To these the remission of the heavy duties would for the present be confined, and they would find from us a full compensation

sation for the advantages they were thus disposed to give. But to those nations who were still so far behind in a practical application of commercial knowledge—to those who continued to heap restriction upon restriction, it was not to be expected that we should grant advantages which they withheld from us. Still he had every reason to hope, that the exclusion of those states from the benefits of a more enlightened commercial policy would be but temporary, and that before long, all nations would see the propriety of imitating an example which must, in the end, be for their advantage. He had no doubt that our example would, in the end, produce general imitation, provided that we ourselves were consistent—that we did not alter our policy—that we did not undo in one year the good which we had effected in another. It was to such purposes as these that he was disposed to apply a portion of our surplus revenue in this and the two succeeding years, and he thought that such an application would be of more real and permanent benefit to the country, than the present repeal of a few taxes. There was another article of foreign produce upon which, though the duty was high, it had not a prohibitory effect. He meant the duty on hemp. This, though it was not an article which interested the community generally, was still of great consequence to a very important class—the shipping interest. The high duty pressed upon them heavily, and it was necessary that they should be relieved; for after all, our naval interest formed the grand fulcrum of our national prosperity. He would propose a reduction of 50

per cent. on the duty on hemp, that was to reduce from one penny to one halfpenny in the pound. The immediate loss to the revenue from this reduction would be about 100,000*l.* The next article on which he would propose a reduction would be coffee, which, though not very important in itself, was so in reference to an interest of great value to the country. The duty on West India coffee at present was 1*s.* in the pound, and that on East India and other foreign coffees was higher. He did not mean to say that this was a very heavy duty in itself, yet he found that the consumption of coffee had not within these few years kept pace with other articles of that kind, and the inference he drew from this was, that the decrease of consumption had been caused by the increase of duty. That duty had been increased in 1819, and since then the consumption had very considerably fallen off. To renew the consumption, he would propose to diminish the present duty one-half; and another object which he had in view was to give every encouragement to our West India planters for its cultivation. It was known that coffee was produced with much less labour than many other articles of our West India produce; and though it could not be expected, nor would it be desirable, that this cultivation should supersede the production of other articles, yet, as it could be done with much less labour, it was of importance that it should be encouraged. The reduction he intended, was from 1*s.* to 6*d.* in the pound, by which he calculated a reduction of revenue to the amount of 150,000*l.* The next article to which he should call the attention of

of the committee was one of which the consumption appeared to be materially affected by the amount of duty which had been often noticed in that house. He had been asked in the last and the preceding session, what reductions did he intend to propose on foreign wines? and his answer was, that he was not then in a situation to propose any change in the duties as they then stood. He did not argue against or deny the principle of reduction in those duties, for he could not be blind to the facts, that since the duties had been increased, the consumption had continued to decrease; but, as he said, he was not, the country was not, in a situation to render a change in the law prudent, as other countries were not disposed to meet the change with corresponding relaxations of their prohibitory system. He did not mean to consider the article of wine as a luxury. This would be carrying the thing too far. It was used in some cases as a medicine, and a very useful one; but at all events, it was an article, from a reduction of the duties on which, the middling classes would derive an important advantage. He would not view any reduction of the duty, as it might affect the higher classes. They, no doubt, would benefit by the change, and he did not grudge them the advantage, but he hoped that nobody would believe the alteration of the duty to be made with any reference to them. He had noticed the decrease of consumption by the increase of duties; and by that decrease, the power of other nations to take our commodities had been also reduced. Now in looking at the amount of consumption of wine, he found that

in the years 1801, 1802, and 1803, when the duty was much lower than its present rate, the average consumption in this country was, of French wines, 2,745,590 gallons, and of port and other wines in the same time, the consumption was 7,396,165 gallons. He spoke now of Great Britain only. And he found that in the year 1824, nearly a quarter of a century after, notwithstanding the immense increase in our population, in our trade, commerce, and in our general prosperity, the consumption of French wines was 254,265 gallons; and of Portugal and other wines, it was reduced to 4,847,976 gallons. He confessed he could account for this decrease only in one way. He might be told that the habits of the people were changed, and that they drank less wine now than formerly. He admitted they did, but he believed it was because the higher duty prevented them from getting it at the same price as formerly; and as the high duty was the cause of the decrease of consumption, he knew of no better remedy than to lower that duty. In the reduction which he should submit to the committee, he would not merely go back to the duty of 1801, but would carry it farther. The duty on French wines he would reduce from 11s. 5½d. per gallon, to 6s., which was nearly 50 per cent. In 1803, the duty was higher than this, but in an article of this kind he thought it useless to make a reduction, except such a one as would be found to be a general benefit. On Portugal, Spanish, and Rhenish wines, the present duty was 7s. 7d. a gallon, which he proposed to reduce to 4s., which was also little less than 50

per cent. The reduction would amount, to the consumer, to about 1s. 3d. per bottle on French wines, and on the other wines he had named to about 1s. per bottle, and this he did not consider too much when he considered how the consumption had decreased by the operation of the present high duties. In Ireland, the falling off in the consumption had been much greater than in England, and for the same reason. He could not believe that the Irish had become less hospitable, or that the characteristic trait of the Irish country gentlemen was effaced; nor should he wish to have it lost. There were some things which, undoubtedly, he would wish to see changed in that country, but the good-natured hospitality and open-heartedness of its inhabitants he would wish to remain unaltered. But he could assure honourable gentlemen from that country, that he had no wish to controul those hospitable feelings, if in the reduction of duties he stopped short of the amount paid in the years 1801 and 1802. Taking the whole of the consumption in both countries to be increased to what it was in the years 1801, 1802, and 1803, he calculated the loss which the revenue would sustain would amount to 230,000*l*. The next branch of revenue which he should bring under the consideration of the committee, was one of vast importance, not merely as it referred to the consumption of the article, but as a reduction of the duty on it had reference to another most important subject—he meant the prevention of smuggling. This practice, which had of late been carried to an amazing extent, he considered as one of

the greatest of our domestic evils. The smuggler haunted us in every place to which we could turn—in our own bays, creeks, ports, and rivers, he was ever on the watch, to distribute his contraband goods. The palace of the noble, the cottage of the peasant, were alike exposed to his visits. He seduced all—he held out temptations to all, which he believed few in any rank in society were found to resist. We had penalties without number to repress his illegal traffic, but they were found useless. We had coercive acts, one heaped on another, to check his career, but they were ineffectual, for the laws enacting high duties still remained unaltered. What, then, was the remedy? Why, as the law enacting duties was the cause—let it be altered, and the effect would, in part at least, be removed. He said in part, because he knew, that while any duty existed, it would be impossible wholly to repress the smuggler; but by diminishing the prospect of great gains, they would take away the greatest incentive to his daring enterprise. The house had tried the experiment in Ireland and Scotland in the reduction of the duty on Irish and Scotch spirits, and it had succeeded. Why not make the same attempt in this country? He had been told, when those measures were in progress, that they would produce a greater evil than that which they proposed to remedy—that the people would all get drunk, and that it would be impossible to check them in this practice, except by high duties. The result had proved the fallacy of those forebodings. What was there which should lead the committee

mittee to suppose that the same effect might not be produced in this country? He contended, that every principle of justice, every feeling of duty, every sense of humanity, called on them to adopt a course which would tend to suppress a vice attended with such evil consequences. He would not say that they would do this all at once. He had begged, when pressed on this subject, to be let alone; he had said, "Do not ride a willing horse to death,"—he was in the course, and if allowed to take his own way he would arrive in due time at the desired goal. He had said it was tried in Ireland and Scotland with effect; but when they drove the smuggler from the north, he moved—(he was going to make a reflection, but he would refrain from it)—he came with great sagacity to the south. When the law was relaxed at one side of the border, the smuggler removed to the other. This rendered it necessary to make some change in the law. This was what he had to propose, and he would say that it was necessary, and that they would never be able to effect the purpose which they had in view, unless they appointed in England the same system of law as now existed in Ireland upon this subject. Every body knew, that though the distiller began by making raw spirit, it could not be sold as raw spirit: it therefore went to the rectifier, who mixed with it some compound or other to give it a flavour; and when it was thus mixed, he gave it out to the consumer as gin. Whisky, which was the first extract, was not allowed to be sold in England: he could not say whether the people of England

did or did not like gin better; but this he would say, that the system of law which prohibited it from being sold in England, and allowed it to be sold in Ireland and Scotland, could not be right; and that the only way for preventing them continuing in the wrong, was to assimilate the practice in England to that in the two sister countries. He defended this alteration of the system which he had pointed out—not by saying that it would lead to the extinction of gin, for that it would not do, as the rectifier would be entitled to compound it as before, but by stating, that it would enable the manufacturer of spirits in England to make whisky, and the manufacturers in Scotland and Ireland to import it into England without being liable to the penalties which they had now to pay, if they were discovered carrying on such an illicit traffic. He recollected that the honourable member for Aberdeen, who seemed to have hoisted the standard of smuggling in that house, had once boasted before them, that notwithstanding the penalties which were attached to the introduction of Scotch whisky into England, he was never without a glass of excellent Scotch whisky in his house. The honourable member might, in future, have his cellar full of it without danger; and he (the Chancellor of the Exchequer) took the first opportunity of congratulating him upon it with the sincerest pleasure. But these alterations would not be sufficient without some reduction of the duty. He was aware that many individuals would object to the reduction of duties upon spirits. It might be said, that it was not politic to render ardent spirit too cheap.

cheap. Be it so. It was smuggled, however, at present; and smuggled in such quantities from Scotland into the northern counties as to make it cheap there, just as it was smuggled from Holland and France in such quantities as to make it cheap also in the southern counties. The reduction in the duty would, by lowering the price of the article, diminish the temptation to smuggle it, and would thus bring under the dominion of the excise much spirit which now escaped it. He did not, however, think it advisable to carry the duty so low in England as it had been carried in Ireland and Scotland. The duty in Ireland and Scotland had been fixed at 2s., because it was deemed essential to put an end to an evil which had risen to a great height in that country. That evil had never been so great in England as it had been in the remote parts of Ireland and Scotland. He therefore could not bring himself to deem it advisable to reduce the duties in England to so low a rate as that to which they had been reduced in Ireland and Scotland. The reduction of duty on British spirits which he intended to propose was this—that whereas 10s. 6d. per gallon was now the duty on all British spirits, no matter whether they were distilled from malt or grain, it should only be 5s. per gallon on all spirits distilled from malt, but 6s. per gallon on all distilled from grain. He saw from the very significant shake of the head which the honourable member for Norwich had just given him, that he heard this intelligence with feelings of horror. The honourable member, perhaps, thought that he was going to in-

volve the country in one general indiscriminating state of drunkenness. He could assure the hon. member, that if he had the slightest idea that the alteration he proposed was calculated to produce such an effect, he would be the last man in the world to propose it. There were, however, two evils before them—drunkenness and smuggling: one of them they must choose; and he believed that the only mode of escaping from the other would be by adopting the proposition which he had brought under their notice. As incident to this reduction of the duty on British spirits, he proposed to reduce the duty on rum, and to permit whisky to be made from grain in the different parts of our colonial possessions. That duty was now 10s. 6d. per gallon, at proof. He proposed to reduce it to 8s. per gallon. He thought that he should not be considered as dealing unfairly with those who had an interest in the colonies in making them pay such a duty; when he said that the manufacturer of spirits from grain in England had difficulties to contend with which did not apply to the manufacturers in the colonies. The manufacturer of spirits in England bought his grain at that artificial price which was given to it in the market by the corn laws. It would, therefore, be unfair to place the same charge upon him which was placed upon a manufacturer who did not labour under the same embarrassment; and he had in consequence determined not to reduce the duty on rum lower than 8s. per gallon. There was one point acceded to the manufacturer of rum which he ought not to omit in this place.

It was this—that if he distilled in the colonies raw spirit, as whisky, he should be allowed to bring it here, and should be permitted either to send it to the rectifier, to have it converted into gin, or to sell it as whisky, if he so thought proper. He mentioned this circumstance, because he had been much pressed to allow rum to be converted into whisky, by being rectified. Now, he would meet this alteration half way: he could not go farther, because it was impossible to say how far the present alteration might work, and it was not right to turn every thing topsy-turvy on mere speculation. He really was afraid, that if the house allowed rum to be rectified in this manner, the revenue would suffer a greater loss than it ought to sustain. Without entering further into details on the subject, he should assume the loss which the revenue would thus sustain at 750,000*l*. It would have been necessary for him to have assumed it at a much larger sum, had he not been confident that he should replace much of the loss which would be thus sustained by the increased quantity of spirits which would come under the excise, in lieu of those which were formerly imported from Scotland and Ireland, and illicitly imported from Holland and France. The hon. member for Norwich would see from this statement, that he was not going to reduce the price of British spirits to the alarming degree which he had seemed to anticipate. There was another article, small in amount, local in consumption, but in the view which he had taken of the subject, of peculiar importance, on which he intended to propose

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a reduction of duty—that was cider. He could not expect that gentlemen not connected with the cider counties should feel any great interest on this point. But in those parts of England where cider was manufactured, he must inform them that the gaols were filled with persons who had violated the law on this subject—that a great portion of the persons thus incarcerated were females, and that the present duty was the source of every evil which prevailed among that population. He therefore conceived that he should not appear to be doing any thing wrong, when he applied to the violation of the cider duties a similar remedy to that which he had applied to the other kinds of smuggling which he had described. In reducing the cider duties from 30*s*. per hogshead to 15*s*. he should not reduce the revenue more than 15,000*l*.—[*Hear, hear, and a laugh—in the midst of which a member exclaimed, “Why not reduce the whole?”*—He had no objection to reduce it to 10*s*., and then he should not reduce the revenue more than 20,000*l*. He would tell the house, why he had proposed to reduce it only 15*s*. It was because the parties most interested in the question had chosen that sum for themselves. Fix, however, the duty at 10*s*. in future, and they would rid six counties of England of an evil which was of no slight importance. For, though it was local, its tendency was to propagate itself in every direction. Smuggling was increased by it; what profits one man upon one occasion was deemed likely to profit another man upon another; and thus every man was disposed to evade the law, when

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he could do it with any advantage to his own interest. It was owing to these practices, that we were now surrounded by a brazen wall of coast-guard, and were obliged to employ a petty navy to protect us from the assaults and depredations of smugglers. Smugglers were planted by hundreds in our soil; and any thing which cut a branch off from this evil root was an object well deserving of public attention. The committee would observe that he had hitherto confined himself to the duties which he proposed to repeal on hemp, wine, spirits, and cider; but after the numerous petitions which had been presented to the house, many of which had been that day brought forward, and had elicited from several members sentiments favourable to the object of the petitioners, he felt it incumbent on him to satisfy the house that the course which he proposed to take with regard to the assessed taxes was one of which the petitioners ought not to complain, as he had consulted their interest in the general interest of the whole community. He thought that no man would deny this position—that it was impossible to confer a benefit on the community by the extinction of a great moral evil, without conferring a benefit on all classes of it, from the highest down to the very lowest. He was sure that if the petitioners would only bring their minds to reflect upon those enlightened principles, on the application of which the prosperity of nations depended, and would only look at the subject with reference to the general good, and without any regard for their own private advantages, they would approve the course he was going

to pursue, and would confess that it was calculated to create a great moral improvement in the mass of their countrymen. If among the petitioners there were men of distinguished rank and station—and his hon. friend, the member for Surrey, had told them that the petition from Lambeth was signed by men of that description—he would make his appeal to them, and would ask them whether, when they brought themselves to look at the complicated evils which smuggling brought upon the country, they would permit their personal considerations to weigh in the balance against the great improvements which his measure was calculated to promote? If among them, he repeated, there were men of rank and station, he should blush for them—he would blush for the rank they held in society, if they hesitated a moment between their private good and the public advantage. He should say to them, “Whilst you are entertaining a doubt which of the two you ought to choose,

“*Incipit ipsorum contra vos stare parentum
“Nobilitas, clarumque faciem præferre prudentia.”*

He would say to them, that if they looked to their own petty interests, and did not consider the paramount interests of the empire, they were acting a part unworthy of themselves and their ancestors, and were forfeiting that high character which had always hitherto been supposed to belong to the class of English gentlemen. That was the language he would address to all those persons of rank and station on whom the assessed taxes pressed; and to the less exalted persons on whom they fell, he would say that most of them were exposed

posed in some way or other to the evils which arose out of the inveterate habits of smuggling rooted in the lower orders, and that therefore they ought not to assume, that because he did not begin his work exactly as they might wish, he was doing nothing for their good, when he attempted to eradicate such pernicious practices. The right honourable gentleman then proceeded to press upon the attention of the house the necessity of carrying the principles on which parliament had recently acted with such success in this country, into operation in Ireland. The misfortunes of that country were numerous, long established, deeply seated, springing from many roots, and not, perhaps, easily to be eradicated. Much had been done to alleviate them, and more still remained to do: for his own part, he knew nothing more likely to confer prosperity upon Ireland than to give her the utmost facilities in her intercourse with other nations. That would tend to call all her energies into action, and to give her the full benefit of all her advantages; for he would say, and say it boldly, that there was no part of the united kingdom so suited for the application of capital as Ireland. The house had every inducement to make Ireland the object of its attention. He said to those gentlemen, who were not inclined to grant to her that one boon, which many deemed, and himself among the number, the boon which would be the most welcome of any, that it was doubly—no not doubly, but ten thousand-fold, incumbent on them to grant her every other boon. He would appeal from their interests to their feelings—from their prejudices to

their generosity—from their party-spirit to their sympathy, for that country which formed part of themselves, and would ask them, whether it would not be more gratifying to them to see Ireland placed by our side in the scale of nations, than merely to obtain relief for themselves, and to leave Ireland to her chance on the waves of evil commotion? The improvement of Ireland was the point at which we ought to begin. She had a population of 7,000,000, and brought us a revenue of three millions and a half. What cause was there but the unhappy condition of that country to prevent her making a considerable addition to our resources? Her condition was now mending, her revenue was rising, her capital, he was happy to say, was daily enlarging. If they did not stop her improvement, but fostered and nourished it with parental care and tenderness, he would be willing to wager his life that many years would not elapse before the revenue we derived from Ireland was absolutely doubled. Let them not think, therefore, of merely removing assessed taxes: let us cast our views more into the future; let them pursue a disinterested and generous system, and they would lay the foundation in Ireland of every improvement of which a country was susceptible. He trusted, therefore, that the house would support him in his measures, and that they would not suppose that he had neglected the wishes of the country, because he had not determined to grant them. To its wishes, however, he was prepared to yield to a certain extent. He was prepared to do something, which though it might not confer any benefit on the rich

and wealthy members of society, would confer substantial benefits on those who were the poorest. In that way he was ready to comply with the wishes of the petitioners—in that way he was ready to meet the wishes of the honourable member for Reading—of the hon. member for Surrey, whom he saw opposite him (Mr. Denison), and of his honourable friend the other member for Surrey, (Mr. H. Sumner), who demanded some relief for the lower orders. Among the many objections to the assessed taxes, none was more important than that which arose from the trouble and vexation they created. This was a point he had never attempted to dispute; indeed, he had never affected to deny the objections which existed against all taxes; on the contrary, he had always considered taxation as an evil which we bore because we could not help it. Such being the case, he wished to remove that portion of the assessed taxes which pressed upon sore places. The reduction he was going to make, was not much in point of money, but was considerable in point of feeling. He should therefore apply it to those parts of them where evasion of the law was easy, and where the detection of it was painful and difficult. He did not know whether it was necessary to trouble the house with an account of the small items on which he was going to give relief. (*Hear, hear, and "Go on."*) He had exhausted himself, and perhaps the patience of the house, in what he had already stated. (*Cries of "No, no; Go on."*) It was a long catalogue he had to read to them. It would not be a reduction of much money, but it would be an addition of

great good. If the house wished him to go through the list, he certainly would do so. (*Hear, and "Go on."*) Well, then, though the house might be inclined to laugh at him for assuming any merit for such small reductions,—and he could assure it that he did not assume any,—he would proceed through the catalogue; and perhaps it might be as well to do so now, as it must be done hereafter, when each separate reduction was put to the consideration of the committee. The first reduction, then, was of this nature—there was a sort of small four-wheeled carriages not in use among the wealthy, but much used among the poor, drawn by ponies. This tax was not large in its amount, but was miserable in its exaction. He intended to repeal it. That repeal would cost the revenue 857*l*. The house must be contented with these small items for the present; it would see that they collectively amounted to something considerable. The next tax was one which was seldom paid, and never, he believed, by any gentleman of the rank in life of those whom he then addressed. It was a tax on occasional waiters, amounting to 1343*l*. He knocked that tax off entirely. The next was for coach-makers' licences, amounting to 354*l*. That, too, he should repeal. Then came the tax for carriages sold by auction or on commission, amounting to 3,391*l*. This tax was peculiarly unreasonable, since carriages sold by auction paid the auction duty. He should therefore get rid of it entirely. In the counties where mines were worked, mules were much used in carrying ore, coals, &c. A tax was imposed on

on them which yielded 137*l.* a year. That tax he also repealed. As the law now stood, if a person quitted a house, which was assessed to the house-tax, after the beginning of the year, he was bound to pay the house-tax for the whole year. Now, he only intended to charge such persons in future for the house-tax during such portion of the year as they were in occupation of houses. The repeal of this law would cost the revenue about 5,000*l.* There was a class of houses which were of no advantage to the owner as far as residence was concerned—he meant houses that were not tenanted, but merely left in the charge of persons to take care of them. A tax was levied upon such houses, and produced 4,000*l.* a year. That tax, also, he intended to abolish. At present, in the dairy countries, only one window was allowed in the dairy and the cheese-room. The effect of this state of law was, either that the same room was used for both purposes, which must evidently be inconvenient, or that one window was divided between the two rooms, which was scarcely less inconvenient. He intended to propose that each room might have one window, without paying any tax for it. That would cost the revenue about 1,000*l.* There was also a class of farm-houses which were charged unfairly with the house-tax. If a landlord had a farm which was thrown on his hands, he generally took the land into his own hands and put a labourer into the farm-house. Now that house would not be exempt from the house-tax, unless that part of the house in which the labourer dwelt was divided from the remainder by a

solid partition. So that the first thing a landlord had to do if a farm was thrown up, was to build up a wall to divide the farm-house; and the first thing he had to do if the farm was taken, was to knock it down again. He would allow labourers to occupy farm-houses free from all tax. That would cost the revenue 1,000*l.* There were servants in husbandry occasionally employed as grooms. Now such a servant was not a servant in the ordinary acceptation of the term—he did not stand to his employer in the relation of a servant—he wore no livery. He (the Chancellor of the Exchequer) intended to get rid of the tax on such servants; it amounted to 2,000*l.* a year. There were some small farmers, who derived some small advantages beyond the mere profits of their farms, by letting out for hire their horses when not employed in husbandry, to drawing coals, &c. — a mode of employment, which was not less useful to those who hired the horses, than it was profitable to those who let them out. It was hard that individuals under such circumstances should pay a tax, and he would therefore allow these horses to be classed as husbandry horses which paid no tax. That tax produced 4,000*l.*: it was to go along with the other taxes he had mentioned. There was a species of carts called tax carts; they were useful to all classes in the country; the tax on each of them was 1*l.* 7*s.* — he intended to repeal it entirely. The loss to the revenue would be 18,913*l.* The next class whom he intended to relieve were those persons to whom allusion had been made in the early part of the evening,

evening. He should preface what he had to say upon this subject by reference to the house-tax. There were now charged to this tax 527,649 persons. Of these a considerable number rented houses under 10*l.* a year, and paid a tax proportional to their rent—he believed of 1*s.* 6*d.* in the pound. Now all these houses he intended to exempt from the operation of the tax. The effect of such a measure would be to diminish the revenue by the sum of 132,000*l.*; but as he conceived that there might be some management to bring houses under the exception which really did not come under it, he should reckon the diminution at 144,000*l.* Out of the 527,649 persons liable to the house-tax, 171,739 would be relieved by this reduction. He next came to the window-tax. He did not here apply himself to relieve the rich, nor yet to relieve the middling classes, both of whom were well able to pay this tax, but decidedly to relieve the poor. Of the window-tax there were 973,867 payers. Now a certain rate of duty was paid on windows on houses which were under 5*l.* rent, and had only six windows; on houses which were of more than 5*l.* rent, and had six windows; and then again on houses which had more than six windows, and up to 6*l.*, 7*l.* and 10*l.* rent. The rate was 3*s.*, 2*l.*, 4*s.*, and 10*s.* Now, he exempted from all payment those houses which had not more than seven windows. The loss to the revenue occasioned by this reduction, together with the loss occasioned by the reduction of the inhabited house-tax, would amount to 235,000*l.* He should, however, relieve by it, from all

window-tax, 635,936 persons. He hoped that he had shown distinctly to the house, that though he had abstained from proposing any relief to those who were best able to pay this tax, he had not neglected the comforts and interests of those who were least able to pay it. He believed that those who might not approve of every part of the scheme he had propounded to the committee, would still be gratified by knowing that their poorer neighbours were relieved from any window-tax whatever. He hoped that by this statement he had enlisted on his side all the best feelings of the nation, and had given to its generosity a triumph over its interests. He ought to have stated, perhaps, that the amount of the reductions he had proposed in trifling items of the assessed taxes amounted to 276,995*l.* The result of all this statement was to convince them that he proposed to repeal taxes with a view of facilitating the interchange of our commerce with foreign countries—with a view of granting encouragement to our manufacturers—with a view of striking a blow at the giant strength of the smuggler, and with a view of relieving the poor from burdens which pressed severely upon them. The taxes he proposed to repeal amounted to 1,520,000*l.* That would cost us in 1826 and 1827 about 3,000,000*l.* In 1825, the loss would amount to 620,000*l.*; so that the total loss in the three years, ending in 1827, would be about 3,620,000*l.* The surplus revenue out of which this was to be defrayed would amount in the same time to 4,000,000*l.*: so that there would be a balance of 400,000*l.* in the Exchequer to meet

meet the drawback on the stock of wine in hand, or any defalcations of revenue which might unexpectedly arise. He now called upon the committee to support him in the plan which he had submitted to its consideration. If he said that he anticipated the results he had stated to happen almost as a matter of course, he did not expect that the event would prove him to have been too sanguine. He had considered the present subject in all its bearings, and with these propositions in his hands, he should not fear to go into any public assembly of the people of England at any time and in any place. There he would appeal to their justice, their candour, and their reason; and would venture, without arrogance or presumption in his own merits, but with a well-founded confidence that he was doing them service, to claim for the propositions he had stated their cordial support and approbation. The right hon. gentleman then sat down amid loud cheering, having first moved as a resolution, that it is expedient that certain duties be repealed.

Mr. Holme Sumner addressed the house, and

Sir H. Parnell expressed his perfect satisfaction at what had fallen from the right hon. gentleman respecting the financial situation of Ireland.

Mr. Maberly hoped that the committee would not, by admitting the propriety of many of the general principles upon which the right hon. gentleman had founded his able statement, be considered as pledging themselves to his details, and particularly where his practice was at variance with the system which he advocated. He

begged also not to be considered as admitting that the right hon. gentleman's disposal of his surplus revenue was the best which could be assigned for it. This reservation must be allowed to them, else they would be voting resolutions before inquiry and the necessary information to explain their nature. The increase of revenue he had always anticipated as the natural consequence of the introduction of the sound commercial principles which his Majesty's Government had lately acted upon: they had given fairer play to the industry of the people, hence followed more comfort, and, as a necessary consequence, an augmentation of the national revenue. He should reserve his further observations until the resolutions were printed.

Mr. Sykes praised the reduction of the iron and hemp duties as favourable to the shipping interest, and thereby beneficial to the prosperity of the country generally.

The Chancellor of the Exchequer requested hon. gentlemen to bear in mind, that the resolutions could not be printed until after the report was brought up.

Mr. Bright complained in the strongest terms of the comparative inattention afforded to the West Indian interests, and the necessity of some further time for consideration, before the committee decided upon the right hon. gentleman's statement. Parliament had seriously interfered with the value of West Indian property and interests, without giving the owners any thing like a fair equivalent. By the proposed reduction of bounties upon sugar, the great refining trade would be in-

fallibly

fallibly lost; and by the reduction of the duty upon home-made spirits, rum would be removed at a still greater distance from the British market. It was last year affected considerably by the introduction of Irish and Scotch whisky, and some hopes were held out that in the present year the West Indian interest would be better considered; and yet what was now proposed?—merely to reduce the rum duty 2s. a gallon, while, at the same time, the reduction in home spirits was to be 5s. a gallon. When they wanted to repress the smuggling trade, why not begin upon tea and tobacco, the two great articles of notoriously contraband consumption? If they reduced the tax upon tobacco one-half, the revenue would not be diminished, but smuggling would, two-thirds of its present extent. It was said that in the coffee reduction 150,000*l.* was conceded to the colonial interests. He admitted the importance of this reduction to the negro population, but denied its being a proper equivalent for the injuries which had been generally inflicted on the West India trade.

Mr. Hobhouse said that he merely rose to touch upon one or two points. In the first place, he thought it would have been better to have equalized the wine duties, than made them in the proportion as 6 to 4; and in the second, he was quite sure the country would not be satisfied with his inadequate reduction of the assessed taxes; the effect of that upon windows now proposed would be to induce people to deform their small houses to bring the number within the right hon. gentleman's plan; and by restricting the circulation of

air, to impair the health of their families. The sinking fund on the present plan was, he thought, quite ridiculous.

Mr. John Smith thought the sinking fund essential to the maintenance of the national faith and honour. He thought the West India interest had been exceedingly oppressed, and that a reduction of the duties upon sugar would have a very beneficial operation.

Mr. Hart Davis complained strongly that the tobacco duties were not reduced; they now amounted to 1,200 per cent. upon the original value of the article; he had expected a reduction of one-half at least of these duties. Notwithstanding the very great export from America, and extensive consumption in Ireland, the revenue in this article was not improved.

Mr. Alderman Thompson concurred in the disappointment expressed at not finding the tobacco and brandy duties still further reduced, for the better prevention of smuggling. He was glad at the reduction of duties on hemp and iron: though he did not anticipate so great a reduction in the duty of the latter, yet he who was largely interested in that trade was not afraid of the foreign competition. He was a ready advocate of liberal commercial principles.

Mr. Hume noticed the immense military establishment which was still to be kept up. It amounted to seventeen millions, including the miscellaneous estimates; fifteen millions and a half being for the army, navy, and ordnance. In 1816, they were told they had not yet come to the full reduction of their peace establishment, and yet they

they had been going on increasing the amount every year since. He entirely concurred in the opinion that they would never make an impression upon the smuggling traffic, and reduce the expense of the preventive service, until they diminished the tobacco and brandy duties. As to the general commercial principles upon which the right hon. gentleman had acted, he gave him the fullest credit for their utility and liberality, and only wished him to carry them farther. He must also say, that the promise or expectation held out to the West Indian interests had not been fairly redeemed. It was a breach of faith to the colonies not to put them upon a comparative footing with the general home trade. He was struck with two facts in the right hon. gentleman's statement—that whilst the general increase of the revenue amounted to 15 per cent. upon some articles, and averaged 5 per cent. on the greater number, yet that in the malt and tobacco duties the increase was only at the rate of 3½ per cent. He was quite persuaded that if the right hon. gentleman made the reduction in these articles 50 per cent. he would, out of the increased consumption, preserve an equal revenue to the present, and at the same time save an enormous expense to prevent smuggling. The sinking-fund was at present quite a delusion, and he would, in a few days, demonstrate that fact to the house.

Mr. Huskisson said, that it was a subject of much congratulation to his right hon. friend, to find the praise bestowed from all sides of the house upon the commercial principles on which he was acting,

and the reduction of the public burdens which he had at the same time afforded. He was glad to hear his honourable friend (*Mr. Alderman Thompson*) say, in allusion to the trade in which he was engaged (the iron), that he had no fear of the foreign competitor. It was certainly not necessary for the British miner, that the foreign duties should be upheld; but, nevertheless, they had a great tendency to keep a great fluctuation in the market-price, which interested the manufacturer in a serious degree, and incidentally the shipping interest. It must be recollected, that the superior quality of some foreign iron rendered it essential for the British manufacturer in the wide range of many of his improvements. He entirely concurred in the propriety of a revision of the whole of their prohibitory duties, for the purpose of rendering them better adapted to the real commercial protection of the country. With respect to the West Indian interests, it was quite impossible to retain the sugar bounties, which had no other operation than to raise the price and impose a useless tax on the consumer, without benefiting the colonies. The reduction on the coffee duties would, he had no doubt, be found very beneficial. He remembered that when he had been the means of reducing the coffee duty from 2s. 4d. a pound to 4d. only, the larger consumption immediately augmented the previous amount of revenue. This would be not only an advantage to the country, but also to the West Indian interests, who must, besides, sensibly feel the reduction in rum from 10s. 6d. to 8s. He admitted the present extent in the smuggling

smuggling traffic in brandy, hollands, and whiskey, but the committee must see how the reduction in British spirits, which formed the great consumption of the labouring class's drink in this country, unless when cheap and deleterious brandy was smuggled in upon them, would repress the contraband trade in hollands and brandy, and give fairer play to the rum and home trade. Then, as to rum, the hon. gentleman intimated, that unless the duties on rum were lowered to that of British spirits, there would be no consumption of rum. The fact was, that rum had always been at a higher duty, and therefore any argument so founded must fail: while, on the other hand, the duties on rum had always borne a comparison rather favourable to that article when considered in reference to other spirits not of British manufacture. The hon. member for Bristol complained of the remaining effects of the restrictive system. He hoped to give that hon. gentleman and the house, a large measure of relief in regard to the restrictions in our colonial mercantile policy, before the end of the session. It was not for his right hon. friend, the chancellor of the exchequer, to go into that branch of the subject. But the measures to which he now referred, were equally important in their tendency, to forward the general improvement in the financial and mercantile regulations, though they would not come before the house in the shape of questions of taxation. In answer to the observations of the hon. member for Aberdeen, with respect to the reducing the duties on tobacco, however he might be dis-

posed to coincide with them, yet he must remind that hon. member of the caution given in homely phrase by his right hon. friend—that you must not ride a free horse to death. Did the committee consider what would be the effect of reducing, as had been proposed, the duties on coals, half the duty on malt, and two-thirds of the duty on tobacco—the last of which amounted to three millions of itself? Must not the country feel deep alarm at a sudden reduction of the revenue to that amount? He concurred in the propriety of reducing the tobacco duties, so that the revenue might be benefited by the increased consumption to the amount which would be lost by lessening the duties. But the hon. member should remember, that the country only possessed a given power of consumption; and nothing could be so visionary as to suppose that the government might with safety at once, and without hesitation in delay, remit all the duties upon every article which had a tendency to encourage smuggling or to check the consumption. He was not insensible to the evils of smuggling. But the government owed other duties to the public credit and to the general interests of the country, which prevented them from going farther at present. He complimented the hon. alderman behind him (Thompson) upon the spirit which he had shown in a case in which his interests were likely to be touched, and hoped that when he (Mr. Huskisson) came, in the course of the session, to propose measures which would as greatly effect the interest of other members, he should find, that whether they dealt in tin, or copper

copper, or brass, or any other commodity, they were all ready to follow his good example, and rely with the same confidence on the good intentions and wisdom of the government.

Mr. Ellice had derived considerable gratification, though not perfect satisfaction, from the statement of the right hon. gentleman. Though he would vote for a reformation of the sinking fund system, yet he thought it unfair that the right hon. gentleman should be teased with so many various projects of reduction as had been now proposed instead of his own. As an example, however, of the former vices of the financial system, and of the evils which they yet propagated, he stated the case of a consignment of brass ordnance, which was to have been bartered for iron ordnance in this country. It was found that there was a duty of 30 or 40 per cent. on the imported metal. The ordnance was exchanged in France, where no duty contravened the transaction. He applauded the candour and good spirit of the right hon. gentleman, in carrying forward his improvements. He could not but find some fault, however, with the neglect of the West India interests in the reduction of the 2*s.* on rum at the time of reducing 5*s.* on British spirits. He disapproved of the restrictive system; he would let in the sugars of the Mauritius as freely as those of Jamaica. The monopoly could never save the British colonist from a competition with the price of the markets of the world, so long as the British West Indian islands produced an ounce beyond our own consumption. He would open the British market to the

sugars of all nations. He asserted it without dread of contradiction, that the British refiner could not succeed like the refiners of Ham-burgh and other places, because they could not, like the latter, mingle the rich Havannah sugars with the poorer articles from our own colonies. He recommended a more vigorous reform in the governmental charges and burden on ships, and articles of ship-building, trading to our ports, both here and in the colonies.

Mr. T. Whitmore regretted that the equalizing of the East India sugar duties had made no part of the plan of the right hon. gent. He was convinced that to that vast portion of the empire must they look for any considerable extension of our commerce, and he relied on the soundness of those general principles to which our financial policy had returned—principles equally admitted by the speech from the throne, by the ministers of the crown, and the general sense of the house and the nation, for doing away the existing distinctions. He proposed as some future opportunity to bring under the consideration of the house, the imperious necessity of adopting similar alterations in the remaining duties on wine, and the corn-laws.

Mr. R. Bernall hoped that the Chancellor of the Exchequer would treat the West Indian rum as liberally as British and Scotch spirits. Not to enlarge on the distresses of the West Indian property, all the articles had risen to the planter, and an equal reduction of the duties on rum with that on British spirits would be received with gratitude. He enlarged on the hardships of continuing a duty of 8*s.* on rum, while

that

that on British spirits was to be lowered to 5s.

Mr. H. Vivian, referring to the reduction on foreign iron, only wished to have such an equivalent in the way of duty for the produce of the Cornish mines as would reimburse them for the difference of charges caused by taxation at home.

Sir C. Forbes was astonished, amidst all the reductions on articles of foreign growth and produce, that no reduction had been proposed on East India commodities; and that we should persist in burdening them with intolerable duties, while British commodities were put upon India at about 2½ per cent.

The Chancellor of the Exchequer, in reply to the suggestions of the honourable member for Rochester, wished to give a reason why he did not conceive rum entitled to an equal reduction with British spirits. The price of grain, from the natural operation of the corn laws, put the distiller under a necessity of paying a price for his malt beyond that which he would have to pay if there were no such restrictions. In rum, the first material was not subject to that specific charge. The prime cost of the malt spirit was so much more than rum, that the latter article could more easily bear 8s.

per gallon than the former could 5s. He professed himself, however, to be in no wise wedded to his own opinion, nor did he offer these propositions as if they could admit of no qualification. On the contrary, he courted the animadversions of other members on the introduction of the resolutions which it would be his duty to submit to the house.

Mr. Gordon proposed to himself to make some use of the opportunities for discussion, so handsomely offered by the right hon. gentleman.

Mr. Ellice said a few words to the same effect.

Alderman Wood complained that the scale of seven windows would preclude from the advantages of the remission all the middle classes who had been contributors to the burdens of the war in the property-tax.

The house having resumed, the report was ordered to be received to-morrow.

The house then resolved itself successively, *pro forma*, into committees on the excise acts, and the assessed taxes bill, of both which the reports were ordered to be received to-morrow.

The other orders of the day were then disposed of, and the house adjourned at a quarter past twelve o'clock.

CHAPTER II.

London Water-Works.—Catholic Priests.—Catholic Petitions.—Irish Unlawful Societies.—Ship Canal.—Assessed Taxes.—Supplies.—Marine Mutiny.—Cruelty to Animals.—Annual Duties.—Thames Quay.—Canadian Waste Lands.—Peruvian Mining Company.—American and West-India Trade.—Police Magistrates.—Pay of Ships of War.—Criminal Law.—The Indian Army.—Customs and Excise.—Dissenters' Marriages.—Combination Laws.—Quarantine Laws.

HOUSE of Commons, Mar. 1.—

Dr. Phillimore brought up the report of the committee on the election for Peterborough, which stated that they had found the allegation of the petitioner, *Mr. Samuel Wells*—that the right of election was vested in all the inhabitants of that borough paying scot and lot—to be incorrect; and that, on the contrary, such right was vested in the mayor and burgesses, being members of the corporation. They therefore reported that *James Stuart, Esq.* was duly elected; and further, that neither the petition of *Mr. Wells*, nor the opposition to it, was frivolous or vexatious.

Mr. F. Buxton presented three petitions in favour of the London water-works bill.

On the motion of *Mr. Buxton* that the above bill be read a second time,

Mr. W. Williams objected to it, on the ground of its not being necessary, and that no statement had been made to the house which should induce it to add to the existing water companies. He concluded by moving that the bill be read a second time that day six months.

Mr. Freemantle said, he had been the chairman of a committee formerly appointed on the subject of water companies. His opinion previous to his attending that committee had been, that the divisions which these companies had made of the metropolis was an unjustifiable monopoly, and that their profits were far too great. Upon inquiry, he was, however, induced to change that opinion altogether, and all the prejudices which he had before entertained against them were removed. He was far from thinking that competition was a desirable thing in these companies, and he hoped that the house would pause before they permitted new companies to be formed, the consequence of which must be the ruin of themselves or others. In none of the companies, he believed, had the proprietors received 5 per cent. on the amount of their capital.

Mr. F. Buxton said that he should prefer stating facts to offering arguments in favour of this bill. In the year 1810, it had been found that the augmentation of buildings in particular districts rendered a larger supply of water necessary than could be afforded

by

by the New River Company, and therefore other companies were allowed to be established. The same reason was to be urged in favour of the measure now before the house. The increase of population and of buildings in that part of the metropolis which it was proposed to supply with water by this company rendered it absolutely necessary. There was no such thing as competition amongst these water-companies, and he could not conceive why competition should not exist as well with respect to that article as to every other. In 1815, the companies entered into an agreement with each other, by means of which all competition was effectually prevented. They decided on what price they should demand. If they pleased, they might refuse to supply any individual with water; and if a person quitted one company for the purpose of procuring a supply from another, he might be disappointed, since they had agreed not to interfere with each other's establishments. The hon. gent. (Mr. W. Williams) said, that competition was good with respect to every article but one, and that was water. It was strange that competition would not be beneficial, where an actual necessity of life was concerned. In 1810, when there was a competition, the price of water fell 25 per cent.; but in 1815, when competition was put an end to, it immediately rose 25 per cent. To understand the imposition, he begged to call the attention of the house to the case of a schoolmaster residing at Stratford. One of the companies agreed to supply him with water at 18s. a year. At the end of the year, they told him that they must

raise the rate 100 per cent. They did so. In the following year, they advanced it 100 per cent. more; and last year they informed him they must add another 100 per cent. He thought proper to remonstrate; and what was the consequence? Why, they actually raised the rate by 200 per cent. last year.

The house divided, when there appeared, for the second reading, 69; against it, 30; majority, 39.

Mr. Brownlow said, that he held in his hand a petition which he felt bound to present to the house on that evening. The petition had come into his hands at the end of the last session of parliament. He then knew nothing about the facts which it contained, and he therefore postponed the presentation of it until he had made some inquiry on the subject. He had made that inquiry, as he had obtained the testimony of a gentleman upon whose word he could place the most unqualified reliance, as to the truth of every fact stated in the petition. The petitioner, John Kinby, stated that he had for 14 years kept a school in a parish (the name of which we could not catch) in Kerry. On account, however, of the badness of the times, the parents of the children whom he taught were unable to pay for their instruction, and the school consequently was obliged to be given up. The petitioner then thought of changing his residence, in order to obtain a livelihood; and as a preliminary to the proceeding he applied to the parish priest to give him a character. The priest certified that the petitioner "had for many years kept a school, and conducted himself in an exemplary

plary manner." It happened, however, that about this time (it was last February) an agent of the Hibernian School Society came to the petitioner's parish, for the purpose of establishing a school there. The school was established, and the petitioner was, on account of his excellent character, appointed to be the schoolmaster. The school had not been opened many months before it was attended by upwards of 100 children. It was now that the coadjutor of the parish priest, the Reverend John Quin, a Roman-catholic, called on the petitioner and told him that he must desist from teaching the children, because the education they received might tend to make them become protestants. It was necessary to inquire what was the nature of the education which these children received. They were merely taught to read the Bible, but no catechism, and the attendance of the Roman-catholic priests was always solicited. The petitioner told the priest that he had no intention of making converts from the Roman-catholic faith, and asserted that he ought to be allowed to get his livelihood as he pleased, so long as he did so honestly. The priest thereupon became enraged, and after dealing out some invective, went away vowing vengeance. On the next Lord's day the petitioner was publicly pointed out in the house of the Lord by the priest, who exhorted his fellow parishioners to hold no intercourse with him, and excommunication was denounced against those who should continue to send their children to the school. About 50 children, however, still continued to attend the school. But

soon after came the time when the priests were in the habit of receiving confession, and then they took the opportunity of warning the children not to attend the school, and curses were pronounced from the altar on them who might thenceforth continue to do so. Under this continued opposition of the Roman-catholic priests, the school sunk to the ground, and the petitioner was compelled, by the threats of the priests, and the disrespect with which he was treated in consequence of those threats, to leave his parish, and go to other parts of the country. Wherever he went, however, he found that the influence of the priests had preceded him; and he found that those who were formerly disposed to befriend him, now denied him all friendly assistance. To crown all, the petitioner was cruelly assaulted, knocked down, and nearly deprived of life by five men, for daring to speak against the conduct of the catholic priests. This was only one instance; but he (Mr. Brownlow) could quote many instances of the violence which Roman-catholic priests had exercised towards schoolmasters in Ireland. In many instances they had incited the populace under them to commit acts of violence against those useful men. He moved that the petition be brought up.

The petition was brought up, and ordered to lie on the table.

Mr. Bright said, he had a petition to present, which related to the subject about to be discussed from a large number of the merchants, bankers, and traders of Bristol. The petitioners prayed that persons of all religious sects should

should be put on the same footing with respect to civil rights. Perhaps some gentlemen might imagine that the petitioners were better qualified to form an opinion than he was, when he stated, that he could go all the length of that prayer. He was perfectly willing to place all bodies of Dissenters on an equality with respect to civil rights; but he was not disposed to grant the same indulgence to the Roman-catholics, when he considered the principles on which our revolution was effected, and the bad effect which the catholic religion had produced in every country where it had prevailed; in proof of which he might instance the present state of all the Roman-catholic countries in the world.

Sir Francis Burdett rose and said, that he held in his hand a petition, signed by a greater number of the Roman-catholics of Ireland, than had ever, he believed, before affixed their names to any document of a similar description. For the present he should content himself merely to perform the duty of presenting it; and should reserve the few observations he had to make until it was laid upon the table.

The petition, which formed a roll of parchment apparently more than a hundred feet in length, was then read by the clerk, and ordered to lie on the table.

Sir Francis Burdett, in moving that the petition should be printed, declared that he rose to address the house under circumstances of great difficulty and anxiety. If he always felt considerable apprehension when called upon to address the house on any important subject, never had he experienced

that emotion in the degree with which it operated upon him at the then moment. A task was now devolving upon him, which he had little power to do justice to, or to perform—a task which he would have declined, but for the fear of seeming to avoid his duty, or to fail in that zeal for the catholic cause, in which no gentleman in the country should ever go beyond him. Still when he called to mind the phalanx of talent which in times past had been exercised on the present question—when he recollected the eminent names which, for a century, had been marshalled in support of it; and considered that the brightest faculties of the present day would, within a very few hours, perhaps, be drawn forth in the same cause; when he thought of all these things, it became impossible for him not, even in the midst of all his uneasiness, to feel some consolation—not to believe that his own feebleness would be more than compensated by the power of those who surrounded and would support him; and that his cause—the cause of the catholics of Ireland, of itself alone strong enough to keep up the weakest advocate—would be brought, and on the night on which he spoke, to a favourable issue. It was still farther a matter of great comfort to him, that in casting his eye round the house, he saw on every side men the most enlightened, and of the best information, as anxious on this question as himself; and perhaps yet more, that, on looking opposite, he found that those brilliant talents which were most frequently exerted against his efforts, were upon this occasion to strengthen his arguments, to repair any defects that

that he might be guilty of. The petition which he had the honour of presenting, large as it was in appearance, and numerous signed, that petition did not set forth so much as a trifling part—it showed but an atom, the least atom—of that immense body of interests which it represented; and of which the full figure, if brought forward, would seem so tall and gigantic, that even the roof of the English house of parliament might scarce be lofty enough to contain it. It would be injustice to the greatness of that petition to view it as involving the cause of the catholics—unjust and weak to treat it as involving the cause of the whole people of Ireland. The question to which it applied was one which affected no partial interests, but the safety and happiness of the British community at large. And when he thought of this, he really found the subject of such magnitude, that he almost shrunk from the attempt to advocate it, and should still be inclined to do so, but for the resources and assistance to which he already had adverted. The grounds on which the petitioners came forward were so strong, so irresistible, that he could not frame to himself any principle on which it could be objected to. Upon every principle of honour, justice, policy, and good faith, it appeared to him that the petitioners had a claim to which no answer could be given. His great desire, at the present moment, was to avoid recurrence to any of those topics which had lately been before the house. He wished to touch upon no topic—upon no point—which could excite angry feeling in the mind of any man. He looked to the exercise of

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gentlemen's coolest judgment for the advancement of that object which he was endeavouring to support; and he did implore those around him, of whatever party, to merge for a moment every other feeling in anxiety for the public interest, and to consider only by what course the strength and resources of the empire were most likely to be served and to be consolidated. With that purpose, he should cautiously avoid every thing in the shape of a retrospective view. He would not, with an unhallowed hand, tear open the wounds under which the people of Ireland had been suffering; but would endeavour, by conciliating those people, and the persons who were opposed to them, to shew that they were interested in putting an end to the existing state of things. It was a state of things under which some moments of calm had, perhaps, lately been obtained, owing to the prevalence of something like a liberal system in the latter administration of the country, but in which no object which was really valuable, no prosperity to endure, could ever be brought about. Those advantages could never be expected, but from the entire change in the policy of England towards Ireland, and from the accession to those demands, which honour and her own interest equally called upon him to admit. For, of the catholic claims he would venture to assert, that at the time when England had been in her greatest danger—he meant at the time of the Revolution—such an unworthy jealousy of those claims had never been shown as at the present day. At the time immediately following that event, with a new government, unorganized and unsettled—a king

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just

just driven from the throne for principles of arbitrary power, and governed, too, as it happened, by the principles of that religion, which first incurred the antipathy of the English, from their viewing it as a means by which arbitrary power was to be supported; and yet, under those circumstances, a freer policy and more liberal had been hazarded than that we now proposed on. For, with respect to the connexion of catholicism with arbitrary rule, the important operation of that faith deserved to be adverted to. In all times there had been a distinction between the spiritual and the temporal quarrel—between the catholic of religion, and the catholic of the state. The former had always been safe: it was the last who had been crushed and persecuted—suspected of correspondence with the see of Rome, the exiled family, and the enemies of the new government. With a new government, therefore, at home, a popish pretender, supported by foreign powers, abroad; it was not wonderful that the people of England had looked with jealousy on a faith which they thought naturally connected with principles of tyranny and slavery. But after William III. had made good his footing in this country, and after James had been expelled from it, and sought protection from his subjects in Ireland—after by his weakness and pusillanimity, he had disgusted even these last who adhered to him; and William had, in the meantime won some admiration among them by displaying qualities of a contrary character—then, while the countries were still divided, and Louis XIV. of France was supporting the pretender, the king of England, to win and pa-

cify Ireland, had sent over an offer of any terms,—for his proposal had actually been unlimited,—what had been the conduct of the catholics of Ireland? They had entered into a treaty, which provided only for their liberty of conscience—that was, the free exercise of their religion: with all those advantages to be possessed by them which were enjoyed by others, the king of England's subjects in general. Now the Irish, previous to this arrangement, had not stood in the condition of insurgents: at that time England and Ireland were not united. James was king of Ireland when he went over to that country; Ireland, in defending him, only fought the battle of her lawful sovereign. In fact, the English were rather the rebels; they were justified in what they did, because the interest of their country was at stake; but still, in fighting several battles for James, which they did with great devotion and courage, the Irish had only taken up arms in defence of the constituted king. Then, afterwards, when king William was desirous, by almost any treaty, to put an end to that dangerous war, they had submitted, on their liberty of conscience and participation in civil rights being granted to them. They had done this, even at the moment when a French fleet was entering the mouth of the Shannon; they had put it out of their own power again to be dangerous to England, by delivering up their arms. It was a curious fact, that at that time, the Irish catholics had not been compelled to take the oath of supremacy; and, notwithstanding that there were persons who thought the terms granted to them too good,

good, parliament had never been prevailed upon to reconsider the subject; the treaty of Limerick had been fully completed; Ireland had been restored to peace and tranquillity; and William, relieved from apprehensions at home, had been enabled to bend all his force against his opponent Louis XIV. Now, of all the infringements which had since been made upon the treaty of Limerick, not one could be held to have been taken as a security. In the hour of danger, these new guarantees had never been found wanting; it was in the hour of triumph and security that an angry faction had lost sight of justice and sound policy. Infractions of the covenant had then followed, by degrees, one after the other; each constituting some infraction of the most atrocious character upon all honour and good faith; and the whole ending, by imposing upon Ireland a tyranny the most sanguinary, and a yoke the most oppressive, to which any nation had ever been subjected. Now, unjust as that course of policy had been, it was now quite unwise as well as wicked. The effect of it had been immediately to bend the people of Ireland to the earth; if persisted in, it would soon have left England without any thing to dread in the way of disturbance from her neighbour. If followed up, it would probably have rooted out the Irish, as a people, in the end; and though wicked—tyrannous—murderous—there would have been something, perhaps, like common sense and meaning in it. But in better times, the establishments of later days had deemed such a course too inhuman to be persevered in. By degrees those severities had

been relaxed; and he advised the catholics of Ireland never to forget, that year after year they had been receiving benefits from this country—benefits to which, no doubt, they were entitled; but which they, nevertheless, would do better to keep in mind than the injuries they had suffered. Let the Irish catholics bear in mind those benefits which they had received; let them carry their views but a little farther forward, and they would see how certainly, how necessarily, what yet remained to be done for them, must, sooner or later, be accomplished. He desired to talk to the catholics of Ireland of the abated rancour of those who had been their most determined opponents. He desired to impress upon them the absolute certainty of their final success, provided they would only so far keep a restraint upon themselves as to make the best use of all the advantages held out to them. They advocated claims which were borne out by reason, by humanity, and by the soundest principles of rational policy. If they would but exert themselves to forget old injuries—injuries which bade fair now to cease for ever—if they would only use common forbearance, and prudence, and discretion, it was impossible but that those claims must be successful. With only reasonable care—he repeated this—their cause, both out of doors, and in parliament, must triumph; because, they might rely on it, unless the peace of this country was disturbed, the feelings of the enlightened part of it were making rapid progress in their favour. He, therefore, by no means considered himself at the present moment

moment as the advocate peculiarly of the people of Ireland; still less as the especial supporter of the Roman-catholic religion. He was no advocate of the Roman-catholic faith; neither was he any opponent of it: nor did he oppose any of the different schemes of faith which different men, with different minds, had hit upon. In his view all religions were equally right, which the persons professing them followed with sincerity of heart, and which were founded upon principles of virtue and morality. Now that the catholic faith was so founded, and so followed, abundant proof, in the way of example, could be given. At the same time, for himself, he had no hesitation in saying, that, having been bred up in the religion of the Church of England, that alone, in his mind, would be a good reason to give for his preferring it. Farther, he certainly, upon reflection, did think, that if he had to choose his religion again, the Church of England was, of all others, the faith he would rather adopt. When he said this, he by no means meant to assert that objections might not be taken to parts of that system: many points in it, no doubt, might be altered and modified with great advantage; but his opinion applied to the system as a whole: and with respect to the clergy of the Church of England, take away only the ecclesiastical corporations, which, like all other corporations, showed generally a narrow-minded, intolerant disposition, and for the clergy of the Church of England he had no hesitation in declaring, as far as his judgment went—and though he might be partial, he believed he was not

so—a more enlightened, liberal body of men did not do honour to this or any other country. If, however, he was a disciple of the Church of England, his first care should be, not to forget one of her purest precepts—to do unto others as he would wish others to do unto him. The constitution of England held, that all men capable of bearing equal burdens, were, in a free state of society, entitled to the possession of equal rights. Upon those two grand axioms he fortified himself; and upon their authority he declared the present to be so little a catholic question, that, in fact, the catholics now stood upon protestant arguments, and maintained their claims upon the principles which assured the security of England. It was singular enough, the sort of change which had taken place in the views and situations of parties. Those who had formerly rejected catholicism for the alleged illiberality of its doctrines, were now acting upon the very principles which they had opposed, and refusing to proceed in conformity with their own; while the catholics were asking for nothing more than the protestants themselves had first desired—the right and the power of complete religious freedom. Now, certainly, when he remembered what danger had been encountered in the earlier periods of our history, and when he heard hon. gentlemen professing apprehensions with respect to the present question, he could not but imagine that there was some incongruity in the existence of such a feeling. What the perils apprehended were, he had never been able entirely to discover, but this was not perhaps very extraordinary;

nary; persons were often alarmed without knowing very well what at. The very name of catholicism seemed to raise in the minds of some persons ideas of danger which came from extraordinary quarters—images, half historical, half romantic, which had been impressed in youth upon the mind, and which had no more to do with the present state of the Roman-catholic religion, or with the state of this world at all, than they had with that of the next. It had been said by a favourite poet—

“Where ignorance is bliss, 'tis folly to be wise.”

Now, no doubt in this case ignorance must be bliss, compared to having the mind occupied with a mass of antiquated tales and prejudices, exaggerated greatly, perhaps, as to the times in which the statements had been made, and which had no longer any existence, or chance of future existence, whatever. A curious example of this failing was to be found in the fears entertained of the power of the Pope. A gentleman had said to him (Sir Francis Burdett) the other day, that he, (the hon. baronet's interlocutor) was greatly alarmed at the Pope. Now, it was a little extraordinary that the ministers of government, or at least that portion of them who were most hostile to the catholic claims on the ground of this apprehension of the Pope—it was rather singular that they should be the very persons who had expended the blood and treasure of this country to replace the Pope, with great difficulty, in that very place in which they now thought fit to be afraid of him. Surely it was a little unreasonable for the right hon. gentlemen first

to raise this phantom, and then go out of their wits with terror at it. If there existed now, as had been the case on a former day, a league of foreign catholic princes abroad, caballing with a catholic king of England at home, to subvert the liberties through the religion of the country—if there existed any danger at the present day of this description, then, perhaps, there might be some ground for apprehension; but if any danger like this did exist, he (Sir Francis Burdett) should say that ministers ought to be impeached for having created it. They themselves were the authors of the existing continental system. They had caused English soldiers to mount guard at the Vatican, to protect this dignitary, who was now the cause of their alarm. What imbecility was all this—what a *premunire* had these hon. gentlemen drawn themselves into, if, at this time of day, we were to be told that there was so much danger in the papal power, that to avoid that peril we had no other choice but to keep six millions of our subjects in discontent and disability? The peril from the Pope was so imminent, that it was better to meet the hostility of six millions of people in Ireland than to face it! Why, this was a pleasant situation! We had agreed to the destruction of all the secondary powers of Europe. We had given up all those minor states which England had been accustomed wisely to support, and, up to a certain point, always to rely on. Every thing like the balance of power was gone; we had distributed Europe out among two or three great powers, who might at any moment take offence at our conduct, and were not unlikely to

do so, if we refused to keep pace with the measures of their unholy alliance. It was avowed that one of these potentates was galled already at our having consulted our own interest, by recognizing the independence of South America. We had obliged another so far, as to allow him to lay hands on Spain—to continue military occupation of that country, which at no former period England would have suffered for a moment. We were surrounded by these holy allies, whose strength we had created or upheld with the loss of our blood and of our money, and at the expense of the liberties of Europe. These powers were, every one of them, objects of alarm to us rather than security; and yet we still refused to secure that best of all alliances—the firm adherence of our own subjects, by keeping six millions of men close to our own shores, in a state of constant hostility against our government. That very neglect of Ireland—or contempt of her, for it was worse than neglect—made an opening for the first of our holy allies who should find it convenient to do so, to invade us. Instead of Ireland being a barrier which our foes would be unable to pass, she would become the readiest point of all others through which they would be enabled to wound us. If ever England was destined to sink, Ireland was the sea in which she would be swamped.—Ireland was worthy of English alliance. Our holy friends, in the hour of danger, we should call upon them in vain; and yet we obstinately refused to make the best of leagues with six millions of the brave inhabitants of the sister kingdom. Could any man repress his astonishment—could he account, on any principle

short of miracle, for the facts—when he reflected on the hairbreadth escapes which England had got out of with respect to Ireland during the late war? That fleet which arrived in Bantry Bay; had it not so happened that the commander-in-chief had been separated from his force; had it happened that the second in command had possessed enterprise enough to land; let either of those events have fallen out; and Ireland was gone, and the sun of England would have set in eternal night. The failure of that attempt on Ireland could only be attributed to the extreme ignorance of the enemy as to the temper and position of that country. They had not known how to take advantage of the opportunity which was offered to them. But we must not presume upon this good fortune again; the ignorance which had saved us existed no longer. The powers of the continent had held intercourse with us: they had been too much upon our territories. He (Sir Francis Burdett) said distinctly—their eyes were directed towards Ireland. They were reproaching us from time to time with our conduct to that unhappy country. Several of their court journals seemed to take a most tender interest, a most sensitive interest, lately in her concerns. A variety of parties with whom we should not always be friendly, had become most seriously desirous to promote the welfare of Ireland. They lectured us upon this subject; laughed at our exertions about slaves and negroes; and protested that there was not, in all the world, a tyranny so odious as that which we exercised upon our Irish catholic subjects, nor any

spot on the face of the globe where men were subjected to such intolerable injustice and oppression. Now, certainly these benevolent dispositions might very well excite some suspicion in our breasts. It was the first duty of government to inquire how the impending evil might be counteracted; to see what measures could be adopted to promote that conciliation and consolidation in the united empire, without which no man could answer for what might be the consequence if the country, by any accident, were to become involved in war. He would appeal to every feeling throughout the country, whether good or evil; he would tell them, let them follow what view they would, whether they chose to worship God or mammon, their interest in this case was to do justice, and immediate justice, to the people of Ireland. The claims of the people of Ireland rested upon the broad basis of a covenant—rested on all which ought to be held sacred between country and country, between man and man. If, indeed, there was danger to be apprehended from fulfilling the agreement which we were bound to fulfil, still, even then, he would say that it was irrational not to complete what we had begun, and by failing to give something farther, lose the benefit of all that we had given already. And what, after all, did the catholics ask? What was the power which, if every thing was granted to them, they would obtain? A few catholic gentlemen of great respectability would probably get seats in the house of commons, a few catholic noblemen would be entitled to sit in

the house of lords, and the King would have so much increase of his prerogative, that he would be empowered, if he thought fit, to place a certain number of catholic gentlemen in the high offices of the state. And what would be the effect of this power, or the danger of it? Was there any fear that we should have a popish King using that power of popish election to betray and overturn the country? Until he heard what the danger was, he really could not account for the opposition to the measure. The present time must be admitted by all parties to be peculiarly auspicious for taking the step which we were implored to take. The opinion of the country—that was, of England—of the larger, as well as the more enlightened part of the protestants in Ireland, was decidedly in favour of granting the catholic claims, because men felt that their own interest and safety depended on their doing so. There was but one small faction in Ireland which opposed this liberal policy; and that opposition arose from their unwillingness to be deprived of the power they had been used to exercise. He spoke now of course of the party called orangemen, to whom, at the same time that he spoke of them thus, he was desirous to do full justice. It was his fortune to have been in Ireland; he had seen there both the orangemen and the catholics. Both of them he had always found to be equally disposed to be kind and bounteous to their inferiors; and it was a great mistake to suppose that the landed gentlemen of Ireland were worse landlords or worse neighbours than those of any other country.

country. There might be a few low pettifoggers hanging about the existing system, who might be worthy of this character; but he believed that, take the mass, there did not exist more honourable or more liberal men than the orangemen of Ireland. This, however, was apart from their unfortunate propensity to domination, and from the right which they fancied they had, even by birth, to trample upon their catholic fellow-subjects. Except only this, and they were more kind in manner, and at least as kind in the essential, as gentlemen could be of England or any other country. Then it was time for them to get rid of this absurd and exclusive spirit—to consider only of the means by which the happiness and prosperity of their country could be most increased—a prosperity in which they could not fail largely to share; as, instead of living in a society constantly tumultuous and distressed, they would see wealth and tranquillity on every side, superseding those measures of coercion which were at once the shame and misery of every state in which they were called into operation. For the people of England, too, independent of securing the country against foreign dangers, they had, in point of economy, a deep interest in the question of catholic emancipation. They who paid the taxes would do well to consider what it cost to support the present system in Ireland. They talked of wanting taxes taken off; and the right hon. Chancellor of the Exchequer had proposed a few repeals, which were more acceptable from the complex machinery which they got rid of than from any imme-

diate burden they took off the subject; but, in Ireland, instead of thousands, millions might be saved at once by a change of system, independent of the wealth which must flow in from that country when once governed by a policy more free and liberal. For if tyranny was a luxury, it was certainly a very expensive one; of all modes of government, however simple in seeming, it was the most burdensome and costly. And all this expense, let it be recollected, came out of the pockets of England. We paid for the luxury of keeping Ireland chained and miserable; and the people of this country would do more wisely, although they perhaps did not think so, in crowding the table of the house with petitions in favour of catholic emancipation, than in praying for the repeal of a few hundreds of thousand pounds in the shape of assessed taxes. In good faith and justice—for he never should give up the treaty of Limerick—in good faith and justice, we were bound to all the catholics desired. The understanding at the Union—that measure which had been a union in point of form, but which had left the disunion between the two countries even more wide and open than ever—the understanding at the Union had been distinctly, that the catholics might expect from a British parliament that justice which the mean and corporate spirit of their own, they were aware, gave them little hope of. Liberality of feeling could alone produce a conciliation; and nothing but conciliation could afford a chance of prosperity. The Attorney-General for Ireland had declared that the liberalized government

government of the Marquis Wellesley, as far as it had gone, had produced the happiest effects in the country. When the Marquis Wellesley had first been appointed, he (Sir Francis Burdett) had ventured to anticipate the line which he would take, and the advantages which would result from it. He did still trust to see such an extension of the feeling entertained by that noble individual, that Ireland and England should be looked upon as one and the same country, and that men would feel, when they discussed the interests of an Irish province, as though they were arranging the affairs of Yorkshire or of Lancashire. The hon. baronet then again adverted to the hon. Attorney-General for Ireland, and to the opinions which he had entertained on the subject of catholic emancipation. He did believe that, whatever inconveniences that right hon. gentleman might have been exposed to in consequence of his accepting office — whatever jokes might have been thrown out against him on that account — if the inconvenience was his, the benefit belonged to Ireland. He trusted that the right honourable gentleman's opinion would have due weight in the quarter in which he now sat; and that he might be able to make a convert of a right honourable friend of his, a cabinet minister, who unfortunately, was opposed to the claims of the catholics of Ireland. He trusted he would work to make a convert of that colleague who was the only one sitting in that house not yet converted to this question; for, in looking to the array of the right hon. gentlemen opposite, he found that they

were nearly all favourable to the principles of this motion. He saw amongst them one right hon. gentleman, who had himself originally been hostile to the claims of the Roman-catholics, but who had since become their supporter. He hoped that, as he had been a convert, he would endeavour to work for the conversion of his only remaining colleague in opposition to them; and that, by their united efforts, they would give to Ireland the benefit of that great and important measure. It could not be denied, that since the system of the relaxation of the penal code had commenced in Ireland, the people of that country had received, with the most ardent expressions of gratitude, the benefits which that relaxation had conferred upon them. Yet though they felt grateful for what they had received, they could not as yet shut their eyes against those laws which still oppressed them, and against those rights which were still withheld. Those rights they claimed as their due; but while they were anxious to obtain them, he hoped that the gratitude of the Irish catholics for the benefits they had already received would be evinced in giving credit to those who had strenuously advocated their cause in that house, where, and where alone, it could be advocated with effect. That the question in which they (the catholics) were interested would triumph, he had no doubt; and he trusted that triumph would not be impeded by any indiscretion on the part of those who were its supporters. The present state of tranquillity in Ireland had been admitted, but it was looked upon as an awful and portentous tran-

quillity by those who were the enemies of the claims of the catholics of that country. That tranquillity he viewed as the result of the expectation of what was to be done in their favour, combined with the recollection of what had been done for the people of Ireland. But if so much had been produced by small beginnings — if the field yielded so large a crop with such little labour, what a plentiful harvest might it not be expected to produce, when a greater attention was paid, and when greater labour was bestowed on its cultivation? It had been his good fortune to pass some time in Ireland, and his knowledge of the character and habits of the people of that country was drawn in a great degree from his own observation. He had visited it not so much for the purpose of seeing the natural beauties of the county of Antrim, or the splendid scenery of the lakes of Killarney, or of enjoying the kind hospitality which predominates in every part of the island — he had a greater gratification in beholding the kind and benevolent feeling which pervaded all classes in Ireland. So much was he impressed with that feeling, that if he had a country to choose, and if he had no ties in any other, he would choose Ireland of all other parts of the world. The people of that country were the most docile in the world. They were easily influenced by those whom they believed to have their real interests at heart. The Roman-catholic priests were said to have a very considerable influence with the people of that country. They had so, and he for one should be sorry to see that influence diminished

at present. He could assert, that from the capital to the country parts, the priests were the most honest and the most innocent persons he had ever met. They possessed an influence very great, but always used it for the peace and tranquillity of the country. He could give as an instance, that in one part which he had visited, and which at that time was declared out of the king's peace, the protestant gentry had never occasion to bolt their doors, and barricade themselves up, as was done in other places, and this he attributed to the exhortations of the Roman-catholic clergy. He was sorry to find that the disposition of the Irish to obey the laws where they were fairly administered, was not noticed in the way it ought. Of all the people he had ever met, the people of Ireland, as Sir John Davis had long ago observed, were the most willing to pay respect to the laws, where they had any protection from them, and the most contented and grateful for the smallest portion of justice. It was to be lamented that a people, enjoying so many blessings from natural situation, having the advantages of such ports, harbours, and rivers, and many means of rendering them prosperous, should be deficient in good government. That want alone crippled all their energies, and rendered them discontented and unhappy. He did not mean to say that the particular measure of which he was then the advocate was to be looked upon as the panacea for all the evils of Ireland: it would be unfair to view it in that light. He should rather have it considered on its own grounds. He would wish to have it looked upon as the first step—

as the *sine qua non* of all other measures which might be adopted towards Ireland. The question of catholic emancipation should be considered with reference to its own merits; and not mixed with baser matter. He hoped that the vote which the house would come to that night, with respect to the Irish catholics, would be the means, not only of preserving the present tranquillity of that country, but would open a brighter and more cheering prospect for the future. He did trust that the house would not delay the putting a first stroke to this great work, which was to unite both countries in one bond under the protection of the British constitution. The people who sought the full benefits of that constitution were of minds not inferior to our own; and if there were any difference in habit arising from a difference of legal enactments, that might be removed by a removal of the laws by which it was produced. He would not trouble the house by entering into any detail respecting religious designations, for he did not imagine there was any man in that house whose mind was so wrapped in prejudice, as to assert that any individual ought to be deprived of his civil rights in consequence of his religious opinions. The only ground of objection which he could suppose was—that of some contingent danger to the state. When such an objection was urged, he would grapple with it, and endeavour to show that in the present state of society the fear was unfounded. For the present, therefore, he would do nothing on that subject, but would conclude by moving, “That the house do resolve itself into a com-

mittee, to consider of the state of the laws affecting his Majesty's Roman-catholic subjects in their civil rights, and whether any and what remedy ought to be applied.”

Mr. J. W. Croker rose for the purpose of seconding the motion, and of offering one or two words on the general question. The honourable baronet had viewed this question as it affected the civil rights of the Roman-catholics, and he (Mr. Croker) concurred in thinking that those rights ought not to be longer deferred; but at the same time he could consent to no arrangement which did not include the Roman-catholic clergy, and decree a provision for them. Without that he could not support the question of emancipation; and if the honourable baronet's motion of this night were carried, which he hoped it would, he pledged himself, that if no individual more worthy were found, he himself would move that such a regulation should form part of the bill.

Mr. L. Foster said, that as a large portion of the Irish protestants were willing to support this question, he would wish to give his vote for the motion of the hon. baronet, if he could divest himself of the feeling that it would be injurious to the established church in Ireland. The honourable baronet, in the course of his speech had thrown out nothing which tended to secure that church. He was the more anxious on this subject, as he had heard, and the house had heard, from the honourable member for Aberdeen (Mr. Hume), a declaration that the church of Ireland ought not to be suffered to continue on its present establishment. Such an opinion

was

was not confined to that house. It was avowed by a reverend gentleman high in the catholic church in Ireland, and had been followed by the declarations of several lay writers of that religion, who all concurred that emancipation ought to be attended with temporal grants, which would be inconsistent with the existence of the Irish established church. It was said, that this question should be carried *sub modo*; but when once men were put into a new situation, it would be difficult to be accountable for their actions in that situation. He was prepared to contend, that emancipation, if it were followed, as it was expected to be, with a permission to the professors of one religion to administer a government essentially connected with another, would be against the spirit of the constitution, and that it would leave no means by which to decide which religion should predominate. It was to be regretted, that, in advocating the question, on many occasions, attempts should be made to disparage the established church in Ireland. Its clergy were described as orangemen—as men without property or influence but what they derived from the church. Great stress was also laid, in this question on the numerical strength of the catholics. That, he conceived, had nothing to do with the merits of the question; but the number of the protestants, which had always been under-rated, was of importance with reference to it. The latter were always described as a very few compared with their catholic fellow-subjects in Ireland. If the protestant clergy lost their flocks, it was not to their misconduct, but to their misfortune it

was to be attributed. But the fact was, the number of the protestants was by no means so small in Ireland as was generally urged. Gentlemen at the other side were in the habit of stating the numbers of both religions in Ireland, and they were not contradicted on his side, because there were until very lately no certain data to go upon. Lord Charlmont had said in Ireland, that it was impossible that two millions of catholics could be held down by one million of protestants. But that noble lord was mistaken in the actual numbers of the Irish population at that time. In the year 1788 there were more accurate data to go upon, and, from what had been collected by Mr. Bushe, it appeared that the population at that time did not exceed 4,400,000. From that time there was no glimmering of what was the real state of the population till the year 1821, and the census in that year showed that it was 6,800,000. But it was most unfairly assumed that the catholics had increased, and that the protestants had ceased to multiply. The house had, therefore, often heard of six millions of catholics, and but one million of protestants. The hon. member here entered into a detail of calculations of the number of protestants and catholics in the several counties in Ireland. The result was, according to the honourable member's showing, that there was in the parish of Ulster a population of 1,968,000, of which, the protestants amounted to 1,170,000. In Leinster the population 1,757,000, of which 370,000 were protestants. In Munster, 1,935,000, of which about 200,000 were protestants; and in Connaught there were 1,100,000, of which about 120,000 were

were protestants. In the four provinces, then, the number of protestants was 1,860,000, and that of the catholic 4,900,000, being numerically in the same ratio as Sir W. Petty stated in his account of Ireland. It was asserted that the protestants of Ireland were almost all presbyterians. He denied the fact. The moderator of the presbyterian church in Ireland has reckoned the number of presbyterians at 560,000; he believed it, however, to be nearer to 620,000. To this number he would add 45,000 as the number of other dissenters from the church, including quakers, anabaptists, seceders, &c.; and there would thus be a total of 665,000 protestant dissenters from the church of Ireland. The whole number of protestants in Ireland he had before shown to be 1,860,000, so that it was clear that a large majority of them were members of the established church. He had not made this comparison of numbers invidiously; but he thought that he was fully justified in making it, after the manner, in which the advocates of that side of this question which he espoused, had been taunted with the overwhelming numerical superiority of the catholics. He knew that those who opposed him were aware of the accuracy of his statement, and he believed that they would be the most unpalatable truths that had been offered for their consideration during the whole of the stormy period of the last twenty years. He should say no more on the point of numbers. He must now proceed to another point, which he considered of considerable importance. Some years ago, the house was asked, on the subject

of the catholic emancipation. "What are you afraid of? You have an enemy on the throne of France, who is an enemy of all religion: you have a pope so far divested of all power as to be absolutely a prisoner; you have got rid of the bug-bear which you once found in the jesuits; you hear no more of the infallibility of general councils; you have indeed, a Roman-catholic religion, but of a very different character from that by which it was formerly distinguished;—of what then are you afraid?" The very mode in which this argument was put, showed that the parties who used it at that time thought that there might be just ground of alarm in a king of France who was a firm friend to the Roman-catholic creed, in a pope who was firmly established in his chair, in the existence of the jesuits as a religious body, and in the restoration of the catholic religion to all its old superstitions. Now let the house consider how the case stood at present. The royal family of France could not be taunted even by their bitterest enemies with being indifferent catholics. It had been said that the head of that family cast an eye upon Ireland; if he did so, it was an eye of religion, and not of politics. He firmly believed that the granting an indemnity to the emigrants was the third, the upholding the principle of legitimacy the second, and the re-establishment of the catholic religion in all parts of the world where it had once been professed, was the first and leading passion of his mind. The chair of St. Peter was at present filled with a worthy successor of the Gregories and the Clements, and he really believed

believed that his equal had not been vested with the tiara for many centuries. It was, however, known, that he was exerting all the powers of his great mind to regain the influence which had formerly belonged to his station. The jesuits were again established, not only abroad, but also, he believed, at home—not merely in France and Spain, but also in England and Ireland. The catholic religion was again dealing out its miracles and indulgences, and displaying a spirit of intolerance and persecution which could only be equalled by that which it had displayed in the 17th century. Now when such was admitted to be the fact, he could not see the consistency of the logic, which called upon the house to make concessions which were questionable when there was no danger, under circumstances which the very advocates of emancipation admitted to be full of danger. But, overlooking that inconsistency, he would say that, even if the circumstances he had just mentioned did not exist, the present was not a time to concede any thing to the catholics. The present was one of those epochs in which there was much religious excitement abroad, and in which religious zeal was even paramount to political ambition. This was proved by the numerous bible societies, missionary societies, &c., which now existed in England, and by the proposition of a law of sacrilege in France, which one could easily suppose to have been enacted in the most intolerant period of the reign of Louis XIV. That law was the manifest progeny of religious zeal, and was so opposite to the spirit of the French

nation, that if ever an attempt were made to act upon it, it would cause greater trouble to the dynasty of Bourbon than any which they had hitherto experienced. The present was, therefore, in his opinion, the very last moment when any change should be made at all affecting religious opinions. He was hostile to such change, because he saw the catholics mixing up politics with their religion, and because he knew that the alliance between religion and politics was always dangerous. Gentlemen had formerly said to him, "You object to this change, but why? Do you think that things can ever revert to their old situation?" He would tell them that he did not merely think that they would revert to it, but that he knew that they had so reverted already. That afforded him a subject of consideration before he gave up any of the principles of the British constitution. He had always been led to consider the compact between church and state to form one of those principles. To any measure, therefore, which tended to weaken that compact, he should always oppose the most strenuous resistance, regardless of all the reproaches which might be heaped upon him for so doing. The hon. gentleman, after eulogizing the union between church and state at some length, sat down amid considerable cheering, declaring that he could by no means give his assent to the proposition of Sir F. Burdett.

Mr. Canning then rose to address the house. It was not his intention to trespass long upon the indulgence of the house, nor if it had been his intention, was it now in his power. He had, however,

however, attended in his place that evening at considerable personal inconvenience to himself; and the same reason which induced him to be present at this discussion, induced him not to give a silent vote upon it. He rose at this early period of the debate, because he was apprehensive that if he did not take that opportunity of addressing them, he should not have strength at a later period to address them at all. He praised the moderation with which the honourable baronet had brought forward his proposition, and expressed his intention of following his example. He should, therefore, not enter into any controversy, nor touch upon any topics calculated to create an irritating discussion, as, perhaps, he might not be present at the conclusion of it. He confessed that his opinion on this question was the same which he had usually expressed on other occasions when it had come before the house, and which he should always be ready to support under any circumstances, from whatever quarter the support of it might be claimed. When he said "from whatever quarter it might be claimed," he begged the hon. baronet not to suppose that he used the words out of any disrespect to him—quite the reverse: he had often had the honour of the hon. baronet's co-operation, although on the majority of occasions they usually differed from each other. Undoubtedly, if his opinion and advice had been taken—and he by no means complained that it had not—he should have said that he did not conceive the present to be a favourable opportunity of bringing on this question. But

having said that, he should pursue the topic no further, because if he gave any reasons for it, he might appear not so much to be expressing an opinion upon it, as endeavouring to throw a doubt which he did not feel on the justice of the cause. The question was, however, before them, and being before them, it was their duty to consider how they would deal with it. He would deal with it now as he had upon every other occasion, and would not hesitate to give it his most cordial and most conscientious support. Although there were circumstances which made him consider the present as an unfavourable time for the discussion of these claims, personally he was not sorry that they had been brought forward. After having recently lent his aid to restrain and suppress the irregular zeal of some of the catholic body, he was not sorry to have an opportunity of showing that it was only to the zeal which had been superinduced on this question that he objected, and that his opinions and feelings regarding the merits of it were, at the bottom, not only unaltered, but also unalterable. The principles upon which this proposition appeared to him to be worthy of the consideration of the house were so plain and simple, that he could hardly imagine on what grounds it could be opposed. He could easily understand the reason, why any person who was called upon to vote in favour of it, might demand that many modifications should be made in it, many concessions qualified, many difficulties solved, many inconveniences provided for, and many dangers—some of them, in his opinion, imaginary, and others real, guarded

guarded against; but he could not, by any process of reasoning, understand why all the subjects of the same kingdom, all the inhabitants of the same soil—those who lived in the same country, mingled in the daily offices of life, and professed a common christianity, should be excluded from the common benefits of the constitution of their country. If it were determined to exclude them, he thought that the *onus probandi*, the necessity of making out the reasons for their exclusion, was thrown upon the other side. It appeared to him that the state in which they now stood had been justly described by an honourable friend of his (Mr. L. Foster), for whom he felt a most sincere respect, though he now differed from him, as a state which was now a century old. But, had not the honourable gentleman in another part of his speech sufficiently answered himself? Had he not said "what is a century in the age of religion?" It was not an argument, but a fact, that by altering the present system, we restored it to that which had a still longer age in its favour. If the argument of age were of any value, why did they hesitate to restore the catholics to that state in which they were placed before the passing of the penal laws? He contended, upon this occasion, as he should upon every other, that to stand where they then were was to alter; and to make a change, was to return to the old system. By this statement he pressed into his service all those topics which arose from the abhorrence of change; he claimed them as his own, unless it could be shown that the change, though new was inveterate—was fixed in so strong a

necessity, and was so irrevocably rooted by the continuance of that necessity, that it could not be abandoned without an abdication of principle, or an abandonment of honour. He was too weak to enter deeply into this question. One or two topics, however, had been urged by his hon. friend, which he could not bring himself to pass over in silence. His hon. friend had set out by saying, that nothing was so dangerous to the peace of society as the alliance between politics and religion; and how did he conclude his speech? By a laboured eulogium on the alliance between church and state. There was an inconsistency in this which he could not reconcile. He could not see how the mystic words "church and state," which his hon. friend was more accustomed to hear in his convivial than in his sober moments, could be construed in any sense which did not countenance the alliance of politics and religion. He concurred, however, up to a certain point, with the opinion of his hon. friend. He did think that the alliance of politics and religion, where it led to a divergency of sentiment, and to the doubtfulness of allegiance, was to be denounced as eminently objectionable: and here, again, he must look to his honourable friend's speech for an illustration. His hon. friend had told them, that never at any time was the feeling of religious zeal so paramount over political ambition of the governments of the continent. He believed that to be the case; but what was the inference he drew from it? Why, mankind were divided into two classes, by two lines of demarcation. There was one line between the protestant and the catholic churches,

churches, and another between British and foreign influence. He would say, "efface the line of separation which divides the inhabitants of the British islands into two classes, and strengthen the line of demarcation which separates British from foreign influence." These were the principles on which he had always advocated this question. It was unnecessary for him to say to his honourable friend, that with regard to the dangers which he and other hon. members anticipated to the protestant establishment, he had lately given a pledge, which he was now ready to repeat, that he would go as far as any man to retain it in full dignity and security. He would go even further: he would declare, that if his reason could be convinced, that they must either stand where they then were, or by proceeding risk that establishment which was interwoven with their happy constitution, he would stand where they then were at all hazards, and would give his strenuous opposition to the motion of the hon. baronet. It was because his reason could not be convinced of this fact, but was convinced of the contrary, that he was now determined to support it. It was because he was convinced that it would increase the strength of the empire at home and its respectability abroad, that he was for opening wide the vest of the constitution, and receiving in its bosom all those who lived in its allegiance, and were ready to support its government. On these grounds he should give his vote for the hon. baronet's proposition, remarking that in so doing, he by no means considered himself pledged to support the details of the measure

which the hon. baronet might hereafter introduce, but that he did consider himself pledged not to sacrifice to the object of the measure any thing which in his conscience he thought, or in his judgment he might be persuaded to believe to be beneficial to the protestant establishment.

The Solicitor General declared himself hostile to any further concessions to the catholics, and contended that if any gentleman had, upon former occasions, made up his mind to yield them, he ought now, from their recent conduct, to alter his resolution. Claims which had been denied to reason, argumentation, and quiet solicitation, ought never to be yielded to menace, terror, or intimidation. He would also refuse them, because he could never find out what the catholics proposed as their *ultimatum*. Former concessions were made the groundwork of future demands, and were used as arguments for conceding these demands also. Whatever adoration he might feel for the talent of his right hon. friend the attorney-general of Ireland—however he might feel his own inferiority—and he knew that he was "*impar congressus Achilles*,"—still he must oppose him upon this subject, and rebut the arguments which he continued to bring forward in this sanctuary of legislation. His right honourable friend had said "you gave the Roman-catholics political power when you gave them the elective franchise; why, then, do you hesitate to give them more?" He would ask his right hon. friend to consider that there were only three things now withheld from them—the bench, the parliament, and the high offices of state. If these were granted

granted to the catholics, he had no doubt but they would ask for the church also. (*Hear, and a laugh.*) Gentlemen might smile; but he would give them proof that what he had just said was not merely idle assertion on his part. He would read to them a passage from the proceedings of the Catholic Association. It was proposed in that turbulent assembly to present a petition to the house of commons for the abolition of tithes, and to send it for presentation to the hon. member for Aberdeen, because he had taken the church into his holy keeping. He hardly knew whether he ought to remark upon this circumstance, as the honourable member for Aberdeen was not in his place; but still he thought he might be permitted to ask what was the holy keeping which the hon. member for Aberdeen reserved for the church? They all knew it—it was no secret. The honourable member had brought in a string of resolutions, 20 or 30 in number—he was wrong—only six or seven. If they were not numerous, they were at least strong; if they were deficient in quantity, they were not so in strength and violence. The honourable member's plan was to slice and cut up the church of Ireland as if it were the shares of a joint stock company, and to spoliage, subvert, and entirely overturn it. If such were the views of the Roman-catholic laity, were those of its priesthood any better? He thought not. Indeed he objected to concession on account of the power of the priesthood. Since the unlawful society bill had been before the house, a Dr. Magee had said at Kilkenny, that if it passed into law he would still go out and collect money for the Catholic As-

sociation. "If they put down the rent," said this catholic divine, "we, the priesthood, will make the public advance it on the altar, as the price of their redemption, and will then remit it to the most influential of our friends." Was this language to be tolerated? Were these men, whose power was to be despised? He had no other objection to granting emancipation. The catholic priesthood would enter into no compromise with our government. It had been attempted to enter into some compromise with them on three different occasions—under Lord Howick's administration, in 1813, and again under the directions of Mr. Gratton. On all these three occasions the experiment had failed. In looking at this question, he knew how to deal with the catholic laity, for they had no interest separate from the state; but not so the catholic clergy, for they had avowed a distinct interest, which, with their great controlling influence, they were determined to work for the overthrow of the established church, and the possession of its wealth and ecclesiastical revenues. It was important to consider the argument as distinct from the laity and the clergy, for the latter yielded no spiritual allegiance to the crown of England, but they did to the church of Rome. It had been said that there was justice in the catholic claims, inasmuch as the catholics merely asked for equal privileges with the protestants. This was not to state the case fairly: they asked for more; for the protestant church had not in any way the same influence as the catholic over the minds of the Irish people: so that if the two churches were placed upon a par in point of civil privileges,

leges, the preponderating influence in Ireland must be with the catholics, and the overthrow of the present church establishment must follow. He then referred to the violation of the constitution which this concession to the catholics would involve. "Was not the principle of the protestant religion in church and state, made a fundamental and inviolable part of the compact with king William III.; after the expulsion of James II.; for endeavouring to overthrow the protestant church? Would they, then, abandon that indispensable principle of the bill of rights? Why not, it was said, in a country where the great majority of the inhabitants were catholics? But they ought to recollect that this was not an Irish, but a British question; and that in Great Britain the relative numbers of the catholics generally were much inferior to protestants. He was surprised to see this experiment attempted so repeatedly upon the constitution; and to do what?—not to satisfy the catholics, for they had always said when these changes were pending, "we will not accede to your regulations." Being, therefore, clearly of opinion that the pretence of conciliation did not follow, but seeing that the overthrow of the church establishment must, he should oppose the hon. baronet's motion.

Mr. Stuart Wortley was merely anxious to say a few words in support of the principle which he had advocated in the year 1812—a principle of concession to the just claims of the catholics. It was his firm belief, and being so, he felt it his duty to state that impression to the house, that no substantial peace would be established in the

country, until this question was conceded, and the catholic and protestant population of the empire incorporated in one feeling of civil concord. The hon. and learned gentleman who had last spoken, had asked the house where they meant to stop in this range of concession? He had no hesitation in answering, that they ought to stop exactly when they had done justice to the catholics, and not before.

Mr. Plunkett said, he should endeavour, in arguing this question to keep clear of all topics of irritation on either side. As to the particular time when they were called upon to discuss the catholic claims, he did not mean to express what would have been his opinion had he been consulted on that point; he should have found it, what he had no doubt the hon. baronet did, a point of much embarrassment, not as relating to his own opinions, but to those of others, entitled to some degree of deference. For himself, he had long since made up his mind on this question. With deep and intense feelings for the maintenance of the best rights of the empire, his decided and inalienable conviction was, that this measure could not be too speedily carried—that no time was too early for its adoption; and none could arrive, when it should not have his most zealous support. With respect to what had fallen from his honourable and learned friend (the solicitor-general), as to the expediency of the time, why did he recur to the time of discussing the question—why did he call upon those who differed from him to consider that part of the consideration? He (*Mr. Plunkett*) must ask his hon. and learned friend,

friend, before he assented to go into that argument with him, at what time he (the solicitor-general) would be prepared to declare his consent to such a motion as this? He feared that his honourable and learned friend had made up his mind to a perpetual opinion upon this, which would render, so far as he was concerned, any argument as to the expediency of time a useless waste of words. Were the time one of perfect calmness and tranquillity, doubtless his honourable friend would say, why agitate the topics now—*non quia movere*—nobody calls for such a discussion. If in a time of trouble and difficulty, then the expression would be the other way—"This is no time for embarking into such matters; every thing is too unsettled." So that in calm or in storm, there would be found no time that was not quite inopportune in his hon. and learned friend's view of the matter. He (Mr. Plunkett) entirely agreed in the observation of the hon. member opposite, that there was a peculiar grace and fitness in the present time, highly applicable to the concession of these claims to the catholics. Some of the friends of that body had been induced, by what he felt to be a most painful necessity, to enact a measure of restriction against certain parts of that body; it was therefore just the time to show the catholics generally, that, notwithstanding what he alluded to, parliament was still ready to consider the justice of their claims. He had not the same means of judging as other gentlemen had what were the sentiments of the people of England upon the subject; but he had of late spoken with men of

various habits of thinking respecting it, and not one had he found who was prepared to say that this question was never to be carried. He had others to contend against, and they were the most formidable opponents of the measure, because they met it boldly upon its own merits, and disdained the paltry trick of appealing to the passions or prejudices of any classes of the people, who declared, that if they thought the accomplishment of such a motion as this would effect the tranquillity of Ireland, they would at once yield. These candid and able opponents were among the best friends of the established church, and when he heard that declaration from their lips, must he not believe that in the measure which he advocated there was nothing, there could be nothing, calculated to endanger the stability of the church of Ireland? He solemnly assured the house, that although this measure was as dear to him as it could be to any other man, if he thought it could risk in any degree the security of the church of Ireland, instead of being its advocate, he should be firmly found among the ranks of its warmest opponents. He supported the question, therefore, because of its perfect reconcilableness with the stability of the protestant church; and he supported it further, because he thought the passing of this bill would be found a measure eminently qualified to support that church. Some allusion had been made to former bills, and among the rest to one of his own, respecting this subject; and to show how clearly on all these occasions the security of the established church was provided for, he would beg leave

leave to read a paragraph from his own bill of 1821, which was copied from the preceding bill of Mr. Grattan: it was as follows: "And whereas the protestant episcopal church of England and Ireland, and the doctrines, discipline, and government thereof, and likewise the protestant presbyterian church of Scotland, and the doctrines, discipline, and government thereof, are, as between Great Britain and Scotland, severally and respectively, permanently and inviolably in these realms." These were the recitements of the two bills, and yet how could it be said that no adequate provision had been made for the security of the established church? His hon. and learned friend had promised to argue this question upon its constitutional bearings, but he had waited in vain for the promised argument. He had heard, indeed, from him a good deal about the Catholic Association, a good deal about the avowed intentions of the catholic clergy, but nothing, or nearly as little as nothing, of the constitutional grounds on which he meant to resist the question. The claim of the Roman-catholics was a claim to be admitted members of a free representative government—to be admitted to institutions the advantages of which belonged equally to every subject of that government. He did not say that the right would admit of no exception or control. There was nothing in the social fabric concerning which he would venture to make that assertion. Even the enjoyment of natural rights must be qualified in a state of society with conditions. Still more must this be connected with the

artificial rights given by the mere existence of society; but these conditions ought only to be imposed in the degree which would be the most likely to protect and preserve the rights and privileges of all. Whether the rights enjoyed by individuals were of the character of natural or of chartered rights, they were liable to be defeated by general expediency. But then the expediency must be clearly and unquestionably made out; and this was a maxim of the constitution which went no less, though upon more circumspection and discrimination, to affect the most obvious rights of individuals. He directed the attention of the house to the circumstances under which our ancestors had thought it necessary to limit those rights in a very peculiar manner with respect to Roman-catholics. At the Reformation, it was found necessary to deal with those rights which were fully permitted before that period. The main object, then, was to protect the rights of the throne against the claims of a foreign power, and against the disaffection of those subjects who might reserve their allegiance for that foreign power, to the detriment of the throne, and of the state in general. This being the object, how did they proceed? They guarded, in the first place, against the evils existing. There were the claims of the pope to interfere with the interest, not simply of the Roman-catholic religion, which then was the established religion of the state, but he claimed also the right of disposing of the benefices, of naming the clergy, of deposing the monarch from the throne, and of dissolving the allegiance of the subject.

subject. The legislature accordingly provided—first, for the absolute and unconditional integrity and inviolability of the church; further, for the spiritual prerogative of the crown, forbidding at the same time the exercise of any other than the established religion. What were the mischiefs dreaded, or what were the provisions of the legislature? To prevent the claims of the pope, or any other foreign power, to interfere with the church. Did they hear of any claim to that interference, or to the right of deposing kings, or dissolving the allegiance of their subjects? Was that believed or asserted by any man in either kingdom? Dangers there were still, but of a different kind. These enactments were, therefore, gradually done. The law forbidding the exercise of any other religion was done away by the repeal of the act against recusancy. The only remaining one which could at all be supposed to contain that spirit, was the act of uniformity, which could not at all be affected by the proposed measure. So far did parliament go down to the time of the Reformation. The wisdom of our ancestors watched the progress of time, and took their measures accordingly. In the reign of Charles, they observed a new danger—a monarch careless about religion, or secretly affected to an unconstitutional one, who was to be followed by a popish successor. Here their providence was as remarkable as before. They provided a remedy, not adapted entirely to meet the evil, but the only one they could obtain; which was to require certain oaths to be taken by those who were ready to take

seats in Parliament. That was found insufficient on the accession of James II., who openly maintained the Roman-catholic religion against the constitution and the rights of his people. The legislature finding this resource fail, then prudently shifted their ground, and had recourse to a measure at once wise, bold and salutary. They drove the monarch from the throne for violating the constitution, and they resolved that the sovereign power should be held inevitably and unalterably in protestant hands. Did he deny that the throne must be protestant? Was he doing any thing to weaken its protestant supremacy? Was there any mode or device to make that supremacy surer which the genius of any man could suggest? He was ready to incorporate it with the proposed bill, or to have it introduced as a separate, yet concomitant measure. He went on. What were the dangers which afterwards threatened the establishment? The claims of an exiled family driven from the throne, and the plots and agitations of a disaffected party retained in its interests. He admitted, freely, that the Roman-catholics of that period were suspected justly. What was the course taken by parliament? All the former measures against the papists were continued. They were held to be not good subjects, and were to be trusted neither with honour, nor power in the state. They were coerced in their persons and property—they were deprived of their civil rights—they became sunk and degraded into that wretched state, from which they were relieved by the benignity of the last reign. This was

was a natural course of reasoning, though he did not conceive it to be a very wise one: but it showed that our ancestors adapted their remedies to the evils then existing, and pressing upon their apprehensions. In 1791, a new danger and an entirely new difficulty presented themselves. The Roman-catholics had proved themselves truly submissive—they had been uniform in their peaceable conduct. Though rebellion had twice raged in Scotland, no movement was made in Ireland in favour of the exiled family. It had been found that the catholics, so sunk and degraded, were ineffectual to the protection of the government,—that by the depression and privations imposed upon them, the heart's blood of the state was impoverished. The landlord found that the lands could not be sufficiently cultivated—the valuable energies of labour were every where paralyzed. If the annals of that period were to be properly read and considered, the late king would be for ever illustrious in history, as he was entitled to the especial gratitude of every Roman-catholic in Ireland. That system of beneficence which he introduced had been now in practice 40 years—it had raised the Roman-catholics of Ireland to a state of affluence, comfort, and respectability—it had given them a perfect equality of civil rights—it had caused them to participate in the advantages of the institutions: What was the danger now which they had to dread? not the Pope—not the claims of foreign potentates—not the assumption of a power to dissolve the allegiance of the people—not the interest of an exiled family. The Roman-catholics had

perfected the proofs of their obedience, and had been admitted to their civil rights, as good subjects who were entitled to every thing which they could reasonably claim. The danger now to be apprehended was perfectly new, though not inferior, he admitted, to that of a dispute concerning the supremacy or the succession to the crown. Better measures had prevailed—the state had acquired sounder health—a current of wholesome blood was felt—feelings of conciliation had been manifested—the Roman-catholic subjects, though not directly raised to power in the state, had acquired possession of the means of danger, and were on a par with themselves. The hon. member for Louth had spoken alarmingly of six, or five, or four millions of persons in the communion of the Roman-catholic church. What he feared was to see four millions—taking them at the lowest—of subjects, having wealth, power, and respectability on their side, and awakened to a full sense of their condition, coming up year after year to claim the rights and privileges enjoyed by their fellow-subjects, and retiring dejected and disappointed continually. That was the danger the house had to cope with. Yet the honourable member for Louth would persist in telling them that they were not to look at the dangers of their own times, but to go back to the Reformation, the reign of James II., and the Revolution. He would say that the present danger was the greatest, perhaps the only one for them to consider: The other argument proved a want of acquaintance with human nature; it bespoke our ignorant use and application of

of the manual of history. Time, as it had been said by one of the clearest observers of its effects, was the greatest innovator of all. While man would sleep or stop in his career, the course of time was rapidly changing the face of all things. All that a wise government could do, was to keep as close as possible to the wings of Time, to watch his progress, and accommodate his motion to their flight: arrest his course they could not; but they might vary the forms and aspects of their institutions, so as to reflect his varying aspects and forms. If this were not the spirit which animated them, philosophy would be impertinent, and history no better than an old almanack. The riches of knowledge would serve them no better than the false money of a swindler, put upon them at a value which once circulated, but had long since ceased. Prudence and experience would be no better for protection than dotage and error. Did he admit that the danger here was serious? He did not therefore inculcate dread. If those persons were to come down to the bar to claim their rights with clamour and shouts, he would laugh at them. Should they use threats and defiance, he would despise them. Parliament could subdue any force raised on their side. But if they merely claimed the rights of a free constitution, he had no answer to oppose to them. He had no mode of dealing with them, but to open the arms of friendship—to admit them as allies, as equals to share the benefits, and join with him in aiding the defence of the constitution, be it against foreign or domestic enemy, be it in peace or be it in war. They were told that there was a

bar—that the principles of the constitution were opposed to the admission of the Roman-catholics. He had read with eagerness—he had carried on his researches with deep anxiety—he had endeavoured hard to find out where that principle could be discovered, and he solemnly declared that he could not discover it. Referring to the distinction which had been taken between civil and political rights, was the fact so that the constitution did not admit any to political power, however completely in the possession of their civil rights, without they subscribed the doctrines of the established church? Did not every day's experience disprove that assumption? Was not the hon. member for Norwich, whom they listened to day after day with satisfaction, an example of the contrary? Were not dissenters sitting in the houses of parliament? Where was the alarm for the disjunction of the interests of church and state? Had there not been a lord chancellor of England who was a dissenter? A man who refused to subscribe the doctrines of the church of England had, in his official capacity, issued writs of summons to the peers of Great Britain, and appended the great seal to them. (He alluded to Lord Rosslyn.) Were hon. members who contended this, ignorant of what had been doing in Ireland? The test laws had there been repealed for fifty years, and the dissenting influence had been on the decline ever since. When that repeal was talked of, there was alarm. Dean Swift, with all his wit and talents, felt and spoke of it with horror and desperation, and prognosticated from it the immediate downfall

fall of the state. For forty years past it had not been heard of, and was almost forgotten by the house; the dissenters had ever since declined. Had the Roman-catholic influence declined in the same period? The former had been ever since withering under the hand of liberty; the latter had been fostered and cherished by severity. But it was said the Roman-catholics might have their civil rights; they must not expect political power; that the constitution prohibited. Was there nothing of political power in what they possessed? They had the right of electing members to serve in parliament. Was that no exercise of political power? They acted as magistrates: was that no exercise of political power? They served as jurors: was not that exercising political power? This country had liberally imparted education to them: did not that put the means of political power within their reach? Where was this line of difference between civil and political power marked in the constitution? The warmth of discussion apart, he denounced the doctrine as inconsistent with the principles of our free constitution, and only fitted for the meridian of a despotic government. He once endeavoured to define civil liberty to the house; he used the description which he found in the books.—Civil liberty consists in doing all that which the law allows you to do. But he went beyond that. There is a civil liberty, the enjoyment of which is given by the laws themselves. Once admit man to enjoy property, personal rights, and their usual consequences, and on what pretence could they be excluded

from the institutions by which the whole of those must be guarded? It was asked, what have the Roman-catholics to complain of? they are only excluded from the parliament, the bench, and the offices of state? which meant, that they were only excluded from the making and administering of the laws, from all posts of honour, and dignity in the state. These were bagatelles, for which, according to the argument, it was not worth while for the catholics to contend, and therefore it was scarcely worth the while of the parliament to refuse. How would the hon. and learned gentleman who used this argument like to be excluded from his chance for these trifles? He begged to ask if these were not the very nothings for which Englishmen would cheerfully lay down their lives? Did they still talk of the danger of admitting the catholics? He put it to the house to consider if they would willingly see such a body represented any where but within the walls of parliament. Shutting them out from parliament, after giving them every thing to render them consequential short of it, was teaching them to array themselves elsewhere. Somewhere else they must go, if the house could not make room for them. God forbid the recurrence of bad times: but it might happen that a bad prince might mount the throne, and then, perhaps, being refused admission where they had a right to it, they would range themselves behind the throne, and assist in the sacrifice of the public liberties. His hon. and learned friend, the solicitor-general, was satisfied as to the laity, whom he considered as sufficiently good subjects. The danger

danger which his hon. and learned friend apprehended was from the Roman-catholic church. He dreaded, in a country where the majority differed from the religion of the state, the uncontrollable and all-controlling influence of priests, who were themselves detached from the state. France, it had been said, had of late shown herself particularly tenacious on the subject of religion; and looking at what might be her views with regard to Ireland, there would be great danger. He (Mr. Plunkett) supposed that the bill was intended to diminish so much of the influence of the Roman-catholic clergy over their flocks as arose from their present grievances. Here was a danger admitted on both sides to be actually existing, and here was a bill proposed by the hon. baronet to meet that danger. Let the measure be shown for bringing those influential priests within the pale of the constitution, and he would say something to it. Had his hon. and learned friend any remedy of his own, since he did not choose theirs? He (Mr. Plunkett) did not think that he had. His was the old *panacea* of trusting to time and proselytism. The latter was out of favour, though he could not but think it a fair and rational thing for any man to endeavour to bring over another by persuasion, to what he himself conjectured to be the truth. To prevent proselytism, he trusted to the exemplary lives of the clergy of the established church, and the mildness and virtue with which they behaved to their neighbours: this was a tribute of praise which none could well deny them. The dread of future consequences, by doing right at present, was not

worthy of the house. The children of their children might see strange things—they might see the portals of the constitution thrown wide open to all the religious persuasions. Those were remote dangers, but those which existed were pressing and imminent. He would begin by doing away their grievances. As to the means, he would first of all relieve those who were bound by a common bond of oppression. He would make a respectable provision for the Irish Roman-catholic clergy. In his opinion this should accompany the bill of emancipation. They had been told that the Irish clergy would not accept it. He gave his assurance, upon a considerable experience of that country, that they would receive it with sentiments of gratitude. There was no danger of their ever attempting to usurp over the protestant hierarchy. The danger was, that of seeing the hierarchy pulled down—not that of seeing it substituted. He trusted in God that it never would be overthrown, as that would be the most inauspicious circumstance for the constitution and the people. But if pulled down to-morrow, and offered to the Roman-catholic clergy, the laity would not permit them to accept it. (*Cheers, with murmurs of doubt.*) He repeated it, that the laity would not permit them to accept it. Honourable members who knew any thing of Ireland must know the opposition which would be made by the laity to the resumption of the power and tithes by their own clergy. If an enemy were to land on any part of the coast of Ireland, he did not say but that there would be great danger. But the house ought to do

do now exactly as if the enemy had landed. Now was the time to do it safely. Let them not be told of the want of acquiescence in the catholic body. Take away the grievances first: then if the concurrence of that body were improperly withheld, parliament would be robbed in that instance of its legislative power of relief; but those who so robbed them would suffer the consequences. The Roman-catholics of Ireland were at present loyal and tranquil: they were determined to remain so. They were satisfied that there was a feeling in this country sufficiently favourable to them, and that something must sooner or later be done for them. The increase of wealth and other advantages which they enjoyed taught them to expect their freedom with becoming patience. If France or any other power speculated on dividing Ireland from the empire, they deceived themselves grossly. The catholics of Ireland would rally round the constitution at their approach. Why? Because they were aware of the wisdom of the institutions. The laws passed in the last thirty-five years had imparted to them advantages which they would not risk, much less exchange, for the chances of foreign rule. But he wished for something from them beyond loyalty: he wanted their affection and cordiality, and their unrestrained confidence; and he would obtain these by giving them an equal participation in the blessings of the constitution.

Mr. Peel implored the deliberate attention of the house, while he stated the grounds upon which he was compelled to differ from the hon. baronet who had brought

forward the proposition, and from all the hon. gentlemen who had supported it. After giving the hon. baronet credit for the very gracious and candid manner in which he had brought the question forward, he proposed to state his reasons for differing, in the order, and by the divisions under which the claims of the Roman-catholics were advanced. The three grounds were treaty, natural right, and political prudence or policy. He was disposed to pay great deference to any argument founded on the solemn sanction of a treaty. But with all the pains with which he had read the treaty of Limerick, he could give it no such interpretation. He wished that the hon. baronet had referred to the articles. He was prepared to show, however, that the catholics of Ireland had never contemplated that treaty as guaranteeing their restoration to political powers. The occasion which had furnished him with his proofs was the passing of the act of Queen Anne for preventing the growth of popery. He was not going to justify that act, though passed under circumstances which ought to be considered, and at a time when the state was exasperated to measures of retaliation for those which had been inflicted by the papists. On that occasion they deputed Sir Theobald Butler to appear and argue against the bill, and by his speech it would be found that they admitted that exemptions from offices of state was a condition in the treaty of Limerick. He entreated the house to observe in what a different manner Sir Theobald, who was most likely the author of the treaty, since he was solicitor to James II. and in high esteem

esteem with the party, had interpreted the rights given to the catholics by that treaty :—"The 10th, 11th, 12th, 13th, and 14th clauses of this bill (said he) relate to offices and employments, which the papists of Ireland cannot hope for the enjoyment of, otherwise than by grace and favour extraordinary: and therefore do not so much affect them, as it does the protestant dissenters, who (if this bill pass into a law) are equally with the papists deprived of bearing any office, civil or military, under the government, to which by right of birth, and the laws of the land, they are as indisputably entitled as any other their protestant brethren; and if what the Irish did in the late disorders of this kingdom made them rebels, which the presence of a king they had before been obliged to own and swear obedience to, gave them a reasonable colour of concluding it did not, yet surely the dissenters did not do any thing to make them so, or to deserve worse at the hands of the government than other protestants; but, on the contrary, it is more than probable, that if they (I mean the dissenters), had not put a stop to the career of the Irish army at Enniskillen and Londonderry, the settlement of the government, both in England and Scotland, might not have proved so easy as it thereby did; for if that army had got to Scotland, (as there was nothing at that time to have hindered them, but the bravery of those people, who were mostly dissenters, and chargeable with no other crimes since; unless their close adhering to, and easily appearing for the then government, and the many faithful services they did their country,

were crimes), I say (said he), if they had got to Scotland, when they had boats, barks, and all things else ready for their transportation, and a great many friends there in arms, waiting only their coming to join them, it is easy to think what the consequence would have been to both these kingdoms; and these dissenters then were thought fit for command, both civil and military, and were no less instrumental in contributing to the reducing the kingdom, than any other protestants; and to pass a bill now to deprive them of their birth-rights, (for those their good services,) would surely be a most unkind return, and the worst reward ever granted to a people so deserving. Whatever the papists may be supposed to have deserved, the dissenters certainly stand as clean in the face of the present government, as any other people whatsoever: and if this is all the return they are like to get, it will be but a slender encouragement, if ever occasion should require for others to pursue their example." He did not believe that the opinion of the natural and constitutional rights of the catholics to that which they claimed had been heard of in the house before 1790. He wished the house to look back with him. Before the reformation, there could have been no idea of exclusion for any religion, because there was only one allowed in the state. For 300 years since, the oath of supremacy had always been taken by those who aspired to seats in parliament, or offices of state or of justice. As far as the practice of the constitution was concerned, he (Mr. Peel) conceived that it had gone in contradiction of the doctrine

doctrine advanced by his right hon. friend. And when his right hon. friend, the secretary for foreign affairs, talked of this principle of exclusion dating only from the commencement of a period comprising about 150 years past, he must utterly deny any such proposition; for in his judgment it dated from the original of all dissenting in the state from the Roman-catholic religion, so far, at least, as related to the oath of supremacy. But let the house inquire a little what had been the doctrine of the most celebrated men in respect of this exclusion from civil offices. He (Mr. Peel) had before had occasion to refer to certain opinions which he was sure would be received with the highest respect by all the members of the house; but particularly by honourable gentlemen on the opposite side. He would now allude to a former conference of this house with the lords, on this very subject of right and capacity as to civil offices. And what were the principles which he found laid down and recognized in that "occasional conference?" It might be proper to premise, that the lords had objected to a bill which subjected to certain penalties those who should appear to have been guilty of occasional conformity. Among other important doctrines, they declared to this effect:—"Their lordships look on the power of demanding qualifications for offices of trust to be one so naturally lodged with the legislature, that without being required to assign any reason for it, but on any apprehension of danger, however distant it may be, every government whatever may put such restraints, and regulate

by such rules the entering into offices of trust as they shall see sufficient cause for. But penalties and punishments are of a different nature from such restraints." Now could any thing be more clearly laid down than this distinction between penalties and qualifications for office—between punishments and disabilities? Now, who were the lords engaged in that very conference? It was managed by the Duke of Devonshire, the Earl of Peterborough, Burnett, Bishop of Salisbury (a great and well-known name), Lord Halifax, and the great Lord Somers. But if this authority would not satisfy his (Mr. Peel's) right honourable friend, what would the right hon. gentleman say to that article in the act of union with Scotland, by which Roman-catholics were permanently excluded from certain offices in Scotland? Now if, as it had been contended, there was an inherent internal right in certain classes in this country to claim office, and that right was (as it had been represented) analogous to the law of property, was it possible to conceive that the great men who framed the act of union with Scotland would have ever introduced into that important measure the principle of exclusion, without reference to the dangers which were to be apprehended from its omission? And yet, without any of those immediate dangers from the power and tenets of the Roman-catholic church, about which the right hon. gent. had spoken as the 'only causes that could justify such a measure now, the law of exclusion was introduced into that act of union. But he (Mr. Peel) much wished

wished that the house would look at the debates of parliament in a more recent period of our history—in the years 1771 and 1774, for example, on the Quebec act. He wished they would recur to the doctrine which was then maintained by Earl Camden and Lord Chatham, those two great statesmen, on the subject of the oath of supremacy. Both of them contended, "that the oath of supremacy was the great charter of the established religion of the kingdom, that it was as obligatory to be in force as magna charta itself, or any of our greatest and most valuable acts." But it was notorious to every hon. gent. that this oath of supremacy, if enforced and admitted to this extent, would exclude certain classes of dissenters equally with Roman-catholics. Why, then, how did this fact consort with the argument of the right hon. gent.—that this was altogether a modern system of exclusion? It must be admitted, indeed, that in the conference already referred to, the lords acknowledged that exclusion by law from office was one of the severest punishments which could be inflicted on any class of subjects. But at a still more recent period of our history, 1790, when there were some very important discussions on the repeal of the test laws, did Mr. Pitt support the principle of the right hon. gent. who had addressed the house this night? No: and yet Mr. Pitt was the warm friend of the Roman-catholic claims. Mr. Burke, it was true, expressed some dissent from those laws; but it was a dissent of a partial nature only; it was founded on the apprehension of danger from the unitarians.

The doctrine of Mr. Pitt on that occasion was quite contrary to the doctrine which had been propounded by the hon. baronet and the right hon. secretary for foreign affairs: although it was not founded on any such temporary apprehensions. Mr. Pitt, on the occasion of which he (Mr. Peel) was speaking, said,—“it should then be recollected, that the test laws under discussion were originally introduced with the direct view of providing for the defence and preservation of our excellent constitution; they were to be regarded as evincing a species of jealousy of the monarch, which never should be considered as unconstitutional.” And what further did Mr. Pitt say on the subject? He added, that they had a direct tendency to check the royal prerogative,—an object that was never deemed to be very unconstitutional in free states; and Mr. Pitt hesitated not to say, that if that jealousy was to be entertained of any of the estates of the kingdom, it ought to be so entertained of the executive.” Now the test laws guarded against any abuses of the nature which it was admitted furnished under all circumstances just and reasonable ground of alarm, by excluding from certain offices persons who, on entering upon them, could not take certain oaths. It was a common principle in private life, that no man would place another in a situation to superintend his affairs, whom he could not entirely trust. The same principle prevailed at present in this empire in respect to eligibility to the offices in question. If this doctrine of exclusion was not to be defended on such principles, on what

what grounds was the partial exclusion of the protestant subject from the exercise of the elective franchise to be defended? The theory of the constitution was this—that no man was to be bound by laws to which he himself did not assent—that no laws were to bind in the passing of which he had not a vote. But did not every hon. gentleman know, that practically speaking all this was not true? On what principle, again, was it that no man could sit in that house, unless he was possessed of a certain amount of property—300*l.* a year? If the doctrine maintained by his right hon. friend was a true one, why might not the man of 200*l.* a year sit there? But why, moreover, on the same principle, was the man who was condemned by the condition of his life to live and labour in a town not possessing the privileges of the elective franchise—why was he to be deprived of all right of voting? The reason of this law, he presumed, was, that they were afraid of parties in such situations, without sufficient means as a security for the proper discharge of their functions. Now he (Mr. Peel), upon similar principles, held, that the state had a right to exercise the power of exclusion where it apprehended serious danger from the admission of a particular class to a participation of particular privileges. He did not want, with his right hon. and learned friend (Mr. Plunkett), to make history a miserable almanack, or to convert experience into a common swindler who passed off false coin; but he wanted to read history for its information—to peruse the instructive lessons which were recorded

in its pages for the benefit of posterity—to look to the past abuses of power—to contemplate the great truths which experience was there to teach him. If, however, as the hon. baronet would persuade them, they were neither to take a retrospective view of the past, nor yet to look into the future, but merely to consider the present posture of affairs, and the steps which it might be proper to adopt in respect of it, they were placed in a very curious situation indeed. It might be a very convenient, but it was by no means a satisfactory mode of reasoning. It must be evident to the house, that in thus opposing the view of the hon. baronet, he (Mr. Peel) had no alternative; for if he did not oppose this abstract right which was contended for, then there was an overruling necessity why he should not oppose the catholic claims. But he did oppose the abstract right; and whether he was correct or erroneous in the principle upon which he did so, he had the satisfaction of knowing that Mr. Burke had declared the question to be one of a moral and virtuous discretion. He would now state the reasons for his opinion on the matter. Although he did not think that former laws on this subject were iron *formulae* thrown down to them for a perpetual and unalterable observance, yet if a law had been passed 300 years ago, to guard against evils that he thought were still to be apprehended, he could not consent to its repeal until it was proved to him that those evils were no longer in existence, or could no longer operate. Now, he again admitted that exclusion from office by law was in itself a

grievous

grievous evil; but it was one also of a much less serious and general nature than the evils which would, upon its removal, most likely follow. Upon these grounds he was against the motion of the hon. baronet. The real question for the house now to determine was, whether there were sufficient grounds for retaining in their present force the existing laws against the Roman-catholics? And, having stated to the house why he could not admit the hon. baronet's proposition, either on the ground of the treaty of Limerick or of the abstract right, he would come now to the considerations of prudence and policy, by which he had been led to a similar conclusion. In the first place, he desired to ask the hon. baronet what was the object of the application which he now made to the house? He (Mr. Peel) apprehended that it was to devolve power to those who were now excluded from it; to give to that at present excluded portion of the community a fair share in the framing, the administration, and the execution of laws. The right hon. and learned gentleman of course did not mean to give them a mere barren capacity for office. And if the house should pass this bill, it ought not to be left to fall elsewhere. Nothing would be more unfair than to leave it to be carried into execution at some indefinite period hereafter—to give to these claimants a ticket of admission, as it were, which upon presenting at the portal of the constitution, they should find altogether unavailing; and with which in their hands they should be turned back and excluded by the crown, that ought to be the source of favour to

them. He now came to the main question—that which regarded the prosperity of Ireland, whether, under the present circumstances, the proposed measure of relief would conduce to the restoration of tranquillity in that country. If he (Mr. Peel) thought it would—if he could persuade himself that having passed it, there would be an end of those unhappy animosities which all persons must unite in lamenting—he for one would not oppose any mere theory of the constitution to such an immense practical advantage. But it was because he doubted whether the removal of these disabilities would have the beneficial effect of re-establishing that tranquillity, and composing the minds of the Irish people; and because he thought that if this could not be done, they had no right to exert the authority of parliament to remove such disabilities—it was on those grounds that he opposed the motion. But were these civil disabilities the cause of those disorders which had so long ravaged Ireland? If they were, he really wished some hon. gentleman would tell him how it happened that in the province of Ulster, where the numbers of the Roman-catholics and of the protestants were said to be more nearly balanced than in any other part of Ireland, the insurrection act had never once been enforced? But, in fact, the removal of disabilities, to the extent to which that removal had yet been carried, had never, hitherto, had the effect of tranquillizing the people. In 1792, the Roman-catholics approached the legislature of Ireland; and on that occasion they confined themselves to asking for admission to the magistracy,

tracy, and extension of the elective franchise to freeholds of 12*l.* a year. They asked, at that time, nothing further; but more than they had asked was conceded to them. The elective franchise was confirmed to them to the full extent in which it was enjoyed by the protestants; and forty-shilling catholic freeholders were created, in all respects on the same footing as protestant freeholders; and, besides this, Roman-catholics were admitted to serve on grand juries. But, since these concessions, had the religious animosities of Ireland been at all allayed? But he knew what hon. gentlemen on the other side would probably answer; they would say—"nothing effectual could be done while any thing was withheld; and that the true secret of conciliation consisted in rendering Roman-catholics and protestants equal in all civil respects, and in removing all catholic disabilities whatever." Here the right hon. secretary went on to argue on the impossibility of satisfying the Roman-catholics, even if their claims should be conceded; that the distribution of offices was made without partiality or favour on the part of the crown and of government; and that when there were no longer any legal grounds of exclusion, they would consider themselves to be not rightly dealt with. They would always entertain a jealousy of the government, and always consider the exclusion of a Roman-catholic, however accidental, a personal measure. Taking the data which had been supplied by the right hon. gentleman and the hon. baronet, it would appear that there were in Ireland about 4,500,000 Roman-catholics, and 1,800,000 protestants. Here

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was an enormous disproportion of numbers. But the property possessed by the protestants was, as to that possessed by the catholics (he was speaking of landed property), in the proportion of about twenty to one. It had, indeed, been stated as high as 49 or 50 to one; but perhaps it was safer to take the former estimate. Now, was he to be told, that, retaining the religion of the minority as the religion of the state, it would be safe to allow the majority to come into an equal participation with them of rights and power? It was also to be recollected, that the temporalities of that state religion were once possessed by that majority; and as long as that was the case, it was absurd to suppose that the Roman-catholics would be content with what they would get by the mere concession of their claims to be relieved of civil disabilities. It was a mockery to imagine that civil privileges of that kind alone would satisfy them. As to what had been suggested of the security of an oath to be taken, he (Mr. Peel) did not at all mean to say, that he would not believe a Roman-catholic upon his oath; but whatever he might propose and intend to do at the time of taking such oath, it must still be asked, with what feelings (if he was actuated by the ordinary feelings of a man) he must look at the protestant religion, and its church, and its clergy? Would he look with the same eyes as we must ever do upon the principal epochs of our history? At the reformation, for instance, and the revolution? Must he not regard the separation of our church, and the suppression of his own, as acts altogether unjustifiable? And yet

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it was proposed to admit the Roman-catholic, moved with feelings of this sort, to a participation in the privileges of the protestant community. With regard to the case which had been put in respect of Charles II., (the right hon. secretary then proceeded to observe), there might be just as good grounds for creating restrictions to guard against the evil effects of a monarch's occasional conformity, or otherwise, to the established religion, as for the existing exclusion of catholics. Now, what would the bill which was to be brought in go to? It would admit the catholic to office if the king approved the appointment, and in that case he would come in on equal terms with the protestant—in all respects as free and unfettered. The house was told that the effect of the law of exclusion was, to extinguish the aspiration of many a heart—perhaps “pregnant with celestial fire”—and to paralyze the exertions of many a hand, fitted to have sustained “the rod of empire.” But the question would become, if the bill were to pass, not so much capacity for, as the right to office. (Here the right hon. gentleman demonstrated the injustice which the Roman-catholic would have to complain of, if, after developing in parliament, all the talents and the zeal which might recommend him to the most important posts in an administration—such as first lord of the treasury, or one of the secretaries of state—the king, acting upon his right of sanctioning or withholding his appointment, were to refuse to consent to his entering upon the discharge of such high official functions.) Would that be the best or most gracious exercise

of its prerogative on the part of the crown? And yet, whatever might be his talents, could it be maintained that such a person would be well qualified to advise the crown upon matters connected with the welfare of the church of England? He (Mr. Peel) thought not; and it would be much better, by keeping to the existing law, to prevent difficulties of this kind, than to leave the whole matter so to be dealt with by the discretion of the crown. The right hon. secretary then went on to contend that it was impossible to call upon him altogether to lay out of view the spirit and temper of the Roman-catholic religion itself; and, turning to these, he confessed that he looked to their re-admission to power with the greatest jealousy and alarm. In that case, too, the connexion of the Roman-catholic religion with the state would become one quite of a new character. Before the reformation, it was attached to the state; since the reformation, it had been tolerated, but nothing more. But now, he understood, it was proposed, in the event of this re-admission, to grant it an establishment, and funds to be voted by the government for the support of its clergy. The right honourable gentleman next animadverted on the multiplied inconveniences, and animosities, and ill-feeling, that must arise from two establishments, with almost similar hierarchies, the Roman-catholic prelacy boasting its apostolic transmission and representation. And in proof of the little alteration which the spirit of the Roman-catholic religion seemed to have experienced from time, notwithstanding all its asserted illumination in the 19th century, he read a passage,

passage, extracted from a little work published by one Coyle, relative to the miracles performed by Prince Hohenlohe; and contended, that so far from the change which gentlemen spoke of, he believed the laugh with which they had greeted the mention of the name of Prince Hohenlohe would have offended no set of persons so grievously as the Roman-catholic priesthood of Ireland. He then quoted several "from the number of cures performed by his highness in the above-mentioned city." (Wurtzburg.) Her highness the Princess Matilda Von Schwartzburgh was among the cures. She had been lame from her 8th to her 17th year, and had vainly expended on medical aid 80,000 florins—cured by the prince's intercessions. He (Mr. Peel) inferred, that the Wurtzburg doctors who got 80,000 florins had had a very fine time of it, and that the name of Prince Hohenlohe could not be very popular among *them* at any rate. But at Bamberg the prince's success was yet more miraculous. Four sisters, who had all been confined with lameness for ten years, were cured. Counsellor Jacob, a counsellor of state, who had not stirred out of his chamber for some years, suddenly accompanied his doctor from the third story to the street-door. A benefited clergyman was cured of the gout while passing through the streets of Bamberg, without ever getting out of his carriage; and besides these famed persons, an upholsterer, a saddler, and a stonemason, had been all operated on by similar miracles. (*A laugh.*) Hon. gentlemen might laugh, if they pleased, at so much credulity; but they should know, that

in no part of the world were the wonder-workings of Prince Hohenlohe talked of with more profound respect and faith than in Ireland. The right hon. gentleman next read from a book signed J. K. M., but said to be written by Dr. Doyle, being a communication (*The Evangelical Letter*) to the whole Roman-catholic communion of Ireland, of the rescript of Leo the Twelfth, the present pope, addressed to the bishops, &c., complaining of the mischief effected by bible societies; and containing the passage—"The power of temporal princes will, we trust in the Lord, come to your assistance, whose interests, as experience shows, are always concerned when your's are in danger; for it never hath happened that the things which are Cæsar's are given unto Cæsar, if the things which are God's be not given unto God." The right hon. gentleman having commented on the singular bearing of this passage, and on the perfect unchanged tone of the catholic church in all things, said, that if any thing was wanting to convince him of the necessity of retaining the oath of supremacy in this country, he should find it in the admission of such letters as these. The concessions proposed to be made, he was of opinion, would not allay the animosities of the Irish, or satisfy their demands; as, indeed, Dr. Doyle himself seemed to think when he talked of the "ulterior measures," after catholic emancipation, that would be necessary. What was meant by "ulterior measures?" But so true it was, that

"Still to new heights their restless wishes
soar,
"Claim leads to claim, as power advances
more."

The right honourable gentleman then expressed his regret at differing from the right honourable and other friends with whom he was accustomed to vote; and at the same time his anxiety that penal laws should be abolished, together with offensive processions, and all other local causes of discontent and heart-burning. He did not deny that great evil might have been done by the policy which had been formerly pursued towards Ireland, but that was no reason why the measure which was now urged should be adopted. It was no reason why he should change the opinions he had formed upon a serious and firm conviction. It was the duty of public men to act on their own impressions, and not to defer to authority, however high it might be, while they were unconvinced by argument. He was not convinced by the arguments he had heard, and he should, therefore, not defer to the authority by which they were enforced. Without dwelling on the objections as to the time at which this motion was proposed, or its present expediency, he openly announced his objection to its principle. He should pursue the course he hitherto uniformly and consistently persisted in, and give his decided opposition to the measure.

Mr. Brougham then rose, and said, he could not allow the speech of the right hon. gent., nor the new topics which had been introduced in it, to pass unnoticed, notwithstanding the late hour of the night. The arguments which those who supported the motion had urged, remained untouched by any thing the right hon. gentleman had said. The speech of

the right hon. the secretary of state for foreign affairs, whom he did not now see in his place, in which there was more of force and effect concentrated in a small space than in any speech which he (*Mr. Brougham*) ever remembered to have heard, remained unanswered, because he believed it was unanswerable. He had been intrusted with a petition from the catholics, praying that the privilege of being eligible to serve in parliament might be granted to them; but he had declined to present that petition until the motion before the house should be disposed of. If, as he fervently hoped and confidently expected, the decision of the house should be in favour of the first petition, it would preclude the necessity of his presenting the second. He would proceed to follow the right hon. gentleman in the argument into which, as he said, he had been dragged. When the right hon. gentleman supposed that the hon. baronet (*Sir F. Burdett*), in alluding to the treaty of Limerick, meant to rest upon it the strongest part of the case which he had to state, he was mistaken. The hon. baronet only touched upon it because it was in the petition, and without laying any greater stress upon it than it deserved. No one could deny, that in all the stages of the question it was a very important feature. All that the honourable baronet meant to prove by it, he thought he had fully succeeded in. For his own part, he (*Mr. Brougham*) should make short work of it. It was now 180 years since that treaty was made. It had been violated; by whom he cared not; but the wrong done by that

that violation was perpetuated by the parliament of the present day, if they refused to fulfil it. One clause in the treaty promised, in express terms, that the catholics should enjoy the same privileges they had been in possession of in the reign of Charles II. In that reign they possessed the privilege of being elected to parliament. They had access to all the offices of the state, excepting corporations, which were reserved for a different class, and from these they were now wholly shut out. The hon. member quoted a passage from Mr. Burke's posthumous works, in which reference was made to this treaty, and to the injustice which the catholics suffered from its not having been carried into effect; the consequence of which was, that they were precluded from their natural rights, and from the benefits of society. Having done this, he said he would lay down the book, and quote no more from this or any other authority—a pledge to the house that he should detain them no longer than might be absolutely necessary. With the exception of one single occasion soon after he had first sat in parliament, he had never yet had an opportunity of expressing his opinions on the important subject now before the house. It might be true that the catholics enjoyed their natural rights with less restriction now than had once been imposed upon them. It was unquestionably a greater hardship that a man's son should have the power of ousting him of the possession of his property, than that he should be debarred from the exercise of any civil privilege. But civil rights, although they

differed in degree from natural rights, were not the less scrupulously to be preserved, and not the less justly to be enjoyed by every member of the community. To have the privilege of being elected, as well as that of electing, was the right of every man who was fit to exercise such a privilege; and to say that a man who was in every way fit to serve the state, who was in point of wealth, abilities, acquired knowledge, and all necessary requisites, most competent to discharge any of the duties which belong to the station he was to fill—to say that such a man should not be elected because he conscientiously believed in the worship of the mass, and in the doctrine of transubstantiation (for the test act itself acknowledged that the belief must be conscientious which would not give up an *iota* of outward form, word, or prayer), was most unjustifiably to deprive that man of his political and civil rights. It might indeed happen, in the case of some state necessity, some great political event, that the right of an individual to hold his own property must be abandoned if the good of the community required it; but not in any other case. It was the practice of the house every day (perhaps it was the least creditable part of their practice) to pass private bills which invaded the rights of private property. Would any man doubt or deny that this was such an invasion? In all such cases they gave compensation if it were possible; but if it were not, the measure was nevertheless carried. The interests of the individual were sacrificed to those of the whole, but only on condition of the necessity

cessity which demanded it. But, not to follow this argument any further, what folly was it at this time of day to tell us that it was only from political rights the catholics were precluded?—to say that the catholics of the present day were not, like their ancestors, ousted of their property, because they worshipped God according to the dictates of their consciences?—to tell them that they were no longer the hewers of wood and the drawers of water to their protestant brethren—that they were privileged to eat, and drink, and be clothed—that they were no longer persecuted and tortured for their religion's sake—and that all the disabilities they lay under were such as they might therefore endure without repining? Were they not shut out from all that dignified and exalted the character of men in society? Was not a broad distinction drawn between them and us, which made their lot as degrading as our's was splendid? Were not the portals of the temple of honours shut against them? Were not the entrances to the legislature barred? Had they any voice in making the laws which they were compelled to obey, or in the imposition of the taxes which were levied upon them? Were they not deprived of all share in the civil government of the state, and did they not endure all this because they dared to be honest and to worship God according to the religion of their ancestors and the religion of their own hearts? What worse than folly was it, then, to say that these were only political disabilities—that this privation of all the civil rights best worth enjoying could be justified? It was

said that the claims which the catholics made to a full participation in all the advantages of the constitution could not be granted to them consistently with the safety of that constitution: but the concessions which had already been made were still more inconsistent. Did they think they gave men the right to elect, and to send members to parliament for the purpose of representing their opinions, and advocating their interests, if they told them at the same time, "You have full power to choose whom you please, excepting those very men whom of all others you wish to choose?" Why, the only value of the elective right was, that it enabled men to send to parliament persons who agreed with them in political sentiments, and who were of the same sect in religion. He would suppose, for example, that the tories, having the right to impose such terms on the whigs, should say to them, "We look upon you all as damnable heretics; you profess political opinions which have kept you out of power for sixty years, as we tories were kept out of power for sixty years before, in consequence of the opinions we entertain. We consider, that of all heresies, your's is the most detestable; you believe, that all power is held in trust for the people; and he who thinks this, is 'fit for treasons, stratagems, and spoils—let no such man be trusted.' If the benches on that side of this house should be filled with whigs like you, no one could tell what might be the consequence. But we mean to confer upon you the elective right; you shall send whom you please to parliament, but you shall select them from the body of the tories."

The members of the universities of Cambridge and Oxford would little like the application of this principle to themselves. They would feel it something like injustice to be told, "You may elect whom you will, excepting members of your own body." They are all a set of men whose minds are narrowed by prejudice, and darkened by learned ignorance. They are persons to whom history is merely an almanack, and experience a swindler—to whom knowledge is pedantry, and caution dotage. They shall not be allowed to take their places here, because they will oppose every thing which tends to the improvement of mankind, and to the diffusion of wise and liberal principles. You may choose any body else you like, but we will have none from Cambridge or Oxford. Go to the university of St. Andrew's and Aberdeen, where there are many able, liberal, and enlightened men. None of the prejudices which grow so luxuriantly on the banks of Granta or Isis can have extended their influence to them: they will not endeavour upon all occasions to prevent the march of improvement, and the amelioration of the human mind." He did not think the members of Cambridge or Oxford would thank the house for such an elective franchise. The catholics scarcely did so when they obtained it, although, as it was the first, it was a very important concession to them. When Lord Buckinghamshire (then Major Hobart), in the year 1793, brought in and carried a bill, which had been rejected in 1790, and which was only granted at last (as the history of Ireland would show every thing had been

granted) because the government was in some difficulty, he was asked whether he was instructed to say that the catholics would be satisfied with having the elective franchise granted to them? His answer was not only that he was not authorized to say so, but that, on the contrary, he was authorized to say, no, they could not be satisfied. Another bill was then brought in by Mr. Knox to confer upon them the eligibility of serving in parliament, but it was lost. But leaving the history and the natural justice of the question, he came to the ground of expediency, under the existing circumstances, of emancipating the catholics from the disabilities they had so long suffered under. There was a great fallacy in the argument of the right honourable gentleman. He (Mr. Brougham) admitted the tone of suavity which the right hon. gent. had adopted towards all sects. It was not only making the best of a bad case, but as it imitated the conciliatory tone which his honourable friend assumed in submitting his motion, it would have the effect of extending that feeling generally, and he (Mr. Brougham) thanked him for it. But the right hon. gent. did as combatants were apt to do—he looked only on the side on which he fought, and forgot that the same complaint which he made of the vexation on one side, applied to the other. For example, much stress was laid upon the danger which must arise to the protestant establishment, owing to the great disproportion of the numbers of the catholics, and which had been stated by an hon. gent. opposite (Mr. Foster), he did not know on what authority. It was said there could

could be no safety, while so many catholics were leagued against so few protestants. Why this was exactly what he (Mr. Brougham) said. He urged, that because danger existed, a remedy should be provided for it. He saw that they were surrounded by peril, and he wished them to find their way out. The right hon. gent. saw it too, but he said, "Let us do nothing, and wait the event." But the right hon. gentleman said the catholics want power—have they not power now? They had not that power to which they were entitled, and of which he believed they neither would nor could make any improper use. If they were admitted to that house, the stigma which rested upon them would be removed, and a general conciliation would be effected. His belief was, that if as many catholics as could be supposed should be returned to parliament, 30 or 40 for example, not one proposition would proceed from them. The dissenters, of whom there were as many in number out of doors as of the established church, had only four or five of their body in the house, and from them no proposals had ever been made of a nature hostile to the church establishment. He was not a little surprised to hear the statement which the right honourable gentlemen had made respecting the supposed effect which the doctrines of Prince Hohenlohe had produced. If he (Mr. Brougham) had wanted an antidote to the dread which the superstitions of those sectaries might have spread, he should have thought he had found it in the pamphlet which the right hon. gentleman had so gravely read to the house. Would any body be-

lieve that an assembly of enlightened educated men, with all their protestant prejudices in their bosoms, could be influenced by such trumpery fanaticism? Could it be supposed that the admission of a few lords into one house, and of commoners into the other, would have the effect of overthrowing Dr. Middleton's *Free Inquiry into Modern Miracles*, and induce a belief in the stories of the cures performed on a saddler, on a princess, and on a gouty old man? Why, if this pamphlet were the most seductive that the church of Rome ever vomited forth (and he could assure the right hon. gentleman that there were many most ingenious productions), he (Mr. Brougham) would pick out three of the weakest men in the house—he meant on that side of the house where the men must, of necessity, be weak, since, although they had no test act applied to them, they had kept out of office for 60 years; to these three he would add six others from out of the house, and they should pore over it for a whole calendar month without one of them having his faith shaken, but, on the contrary, confirmed. The right hon. gentleman had read, too, with a triumphant air, a declaration of the Pope Leo XII., in which he expressed his expectations that bible societies would be put down by George IV. and other temporal princes. The pope's only reliance, next to his miracles, was upon the assistance he expected to derive on this subject from temporal princes. But the pope was not alone in his wish to prevent the dissemination of the Bible without note or comment. The same sentiments were avowed

by the heads of the universities; and he had read a very feeble, ill-written, injudicious pamphlet by the archbishop of Canterbury's chaplain, in which this Romish doctrine was laboriously enforced. So much for this argument. His honourable friend the member for Norwich (Mr. W. Smith), who was known to be a dissenter, and who had submitted many measures to the house, had never proposed any one which related to his own peculiar religious opinions. That individual, though in public he mentioned the disqualifications under which persons of his persuasion laboured, never attempted to make converts—never attempted to wean individuals from any doctrines connected with the church, although they might be opposed to those tenets which he himself professed. He desired to know, whether there were no dissenters in that house who held offices? He desired to know whether, in certain cases; the ordinary tests were not dispensed with by law? He would ask, whether this country had never seen a Lord Chancellor, with the patronage of the church in his hand, professing the doctrines of a presbyterian? He would ask, whether this country had never seen a state minister, who was imbued with the heresy of Socinus, as the established church called it? Had they never heard, that even in that house, there had been members, who were denounced, on account of their tenets, as pernicious and damnable heretics? All these they might have had in office, some of them they certainly had in office—wielding all the power of the state—directing the monarch in all his measures

—conducting the whole public treasury of the country. And had any danger, during these periods, menaced the safety of the church? Had his hon. friend, near him (Mr. W. Smith), ever made any attempt to undervalue or undermine the interests of the established church? Had any dissenter who had ever entered that house, made such an effort? No. Years had revolved—very nearly a century had passed by since that body were permitted to enjoy those privileges which the catholics now called for—and no such attempt had they, during that period, been charged with. No one instance had occurred of mischief done, or of danger apprehended. And yet they were now told—ay, gravely told—that right, and justice, and expedience, must in the case of the Roman-catholics be thrown aside, because if they were restored to their privileges as freemen, the church would be in danger? What could the Roman-catholics do if they were in power? He admitted that they would have additional weight and influence if they were intrusted with political power. But had they no power at this moment? That was his question; and he entreated the house to consider the subject in that point of view. They had much power—as great, in degree, as if they were admitted into parliament; but much worse than it could possibly be if they were received into the bosom of the constitution. It was, at present, a dangerous—it might become a mischievous, a fatal power. Let the legislature, then, convert it into a regular, constitutional, proper power; and there was an end of the danger.

The door would then be effectually closed against any apprehended mischief. He would name no man; but this he would say, that greater natural abilities, more acquired talents, finer skill, and, what he would very much dread to encounter in an opponent, nicer discretion, he never saw displayed, in a more extensive degree, than he saw those qualities displayed by those who now conducted the affairs of the Roman-catholics. He repeated, that men of greater talents—men of more information—men of more practised skill—men possessing greater powers of self-command—men actuated by the dictates of a more sound judgment, or distinguished by a finer sense of discretion, he had never seen. He spoke not merely from public reports, but also from private conviction. These were the elements of public power; men so accomplished—so richly endowed by nature—so much improved by study, backed by their countrymen (he cared not whether six, or five, or four millions)—such men, it must be admitted, possessed power. That which he had described was power, or he knew not what power was. The power which those persons wielded was dreaded by the government. Why did he assert that it was dreaded? Because, to control that power, they broke through the principles of the constitution, and enacted mischievous and revolting laws. His (Mr. Brougham's) *panacea* was—"Give to those people their birth-right: you thus take that power from them. Let the six millions be sixty millions; if they have no grievance, you have no cause of fear. Act thus, and all this national talent, all this

acquired ability, all this practised skill, all this nicely-balanced discretion, will be exerted for your service—will no longer be wielded against you." The elements of strife and confusion were abroad. The energies which oftentimes accompanied political disappointment, and the fire which always attended religious zeal, and the discontent which a refusal of justice must ever engender, might, when combined, produce the most fearful effects. His remedy was plain and rational, "Take all those elements into your own hands; work them properly; control them, not by coercion, but by kindness; attract them to you by benefits, instead of repelling them by injuries; and no longer will you lie down under the influence of nightly insurrection." The right honourable gentleman (Mr. Peel) said, even if he were a friend to this measure, he would not be frightened into it. This was the worst of all possible arguments. Why should any man say, "I will abstain from doing a right, because it is boldly demanded?" Why should any man say, "I know that such an act is right; but as I am importuned to perform it, I will refuse, and thereby perpetuate wrong?" For a man to submit to do that which he ought not to do through fear, was lowering him in the scale of human society: and was it not equally degrading when a man, from a principle of obstinacy, refused to do that which he ought to do? Was such a course respectable, or dignified, or intelligible, or one that could be mentioned with gravity? Why it was saying, "Don't desire me to do a good act; for, if I am so counselled, I shall

I shall certainly refuse." He knew that the right hon. gent. was not friendly to this proposition; but he put his argument of not being threatened into compliance, to those who were well-wishers to the measure. If those individuals adopted it, they would in effect say, "I know this is right; I wish to carry the measure; but, alas! you frighten me!" It was declaring neither more nor less than this: "We wish for the measure, and the legislature is bound to listen to the proposition; but they must also hearken to the calculation of danger. The present is a time of danger, and we will not concede this measure on compulsion." This, however, was a fallacy. No government, no legislature, need fear the attack of factious men, if justice were done to the community. There was no reason to fear assaults on the constitution; there was no reason to dread attacks on the establishments of the country. But that which was really formidable, that which the legislature ought to listen to, was the fear of doing wrong and injustice. Such acts were criminal in themselves; such acts were formidable, for they tended to produce discontent, with all its train of evils. He was a good counsellor who told them not to do that which was mean, and low, and oppressive, but who pointed out that which was noble and just, that which it was their duty to execute; one who showed them how, when the state was in danger, to take those steps by which that danger could best be removed. They stood in that place as the trustees for others, and they ought not to waste their time by a display of

their own individual feelings. Was it their own persons they were alarmed for? Did they dread personal danger? No, the danger of civil war was that which some of them seemed to apprehend. That danger ought to be prevented; and he had pointed out the sure way of setting to rest every apprehension on that point. Civil commotion was of all things the most to be dreaded; but it was their own fault if they did not, by liberal measures, dissipate any fear of danger of that description from Ireland. The right hon. gentleman (Mr. Peel) said that the Roman-catholics had already been favoured with concessions: and he quoted two instances. The answer to his statement was simply this—the catholics were now asking for that which was reasonable; but, said the hon. gent., "if we grant this, they will ask for something that is unreasonable;"—then he would say, wait till they make the demand, and then refuse them; but do not reject a reasonable suit, from the fear that an unreasonable one, which might be rejected, should follow. It was feared, too, that the Roman-catholics would, if admitted to political power, interfere with the existing establishment. But had not the fact been stated, on the most incontestable authority, that they did not wish to meddle with church property—that they had no desire to interfere with tithes—and that, least of all, had they any idea of transferring them to the catholic church. Why, then, he demanded, should not the legislature grant that which was unobjectionable; when they had the power of refusing whatever appeared improper? He was anno-

nished

nished when he heard the right hon. gentleman (Mr. Peel) state that no mention was made of securities. He (Mr. Brougham) had distinctly heard his hon. friend say, that he would vote for no bill except it was stated in the preamble that the protestant church, as it now existed, in Ireland as in England, should be inviolably preserved. He understood him to say, that securities were to be introduced substantially the same as those which were attached to the former bill, and that a new one, and he conceived the best, would be added; namely, provision for the whole of the catholic clergy. Could this be proposed now? It was impossible. They could better ask the layman to be an apostate, than the clergyman. If the latter accepted any favour until emancipation were granted, he would be lost to his flock—he would be despised as one who had preferred his own interest to their welfare. What would render this step proper in the eyes both of the clergy and the laity, would be to give freedom to the laity; and then, and not till then, to offer to the clergy that provision which the wisdom and justice of parliament might deem expedient. They would receive it from the hands of the legislature thankfully, because, he conceived, they would then receive it honestly. But if they accepted of such a boon before emancipation, it would prove nothing but irretrievable despair. The course which he now advocated, he had suggested long before the Roman-catholic Association was in being. If that course were pursued, he was sure the Roman-catholics would be satisfied, and that Ireland would be placed in a state of

safety. What might happen if this proposition were not agreed to, he could not say. He trusted the peace would be preserved, and the laws obeyed. He thought he might say that they would, from what he had seen of those individuals. He believed they would act like good subjects, and bow before the refusal of the legislature if their prayer was refused. But well he knew what dire effects were produced when those who had the power of conciliation in their hands, persisted eternally in perpetrating wrong, instead of doing justice; and when they considered the state of Ireland, and the deep anxiety which existed there for the accomplishment of that which their advocates had undertaken to procure—for the acquirement of that which the people then knew, and that house knew, ought to be granted to them—the legislature would pause before they refused their claims. If they found that the reward granted for the peace and tranquillity which Ireland had lately enjoyed, consisted in new rejections and new oppressions, without predicating the consequences, he might be allowed to say, that the experiment was an exceedingly dangerous one. He fervently hoped that by granting the boon called for by the Roman-catholics, they would place on a firm basis the peace and tranquillity of Ireland. The time had been objected to; and he was sorry that a right hon. gentleman (Mr. Canning) had expressed an opinion that the present was not a proper period for this concession. He must say, as this was the case, that if there was any thing wrong in pressing those claims forward at the present moment,

moment, he must take his full share of the blame. His entire belief was, that it was prudent to pursue this course; that it was, in fact, the most politic line of conduct that could be taken: and he thought that if the measure now proposed was not carried, the peace of Ireland would be placed in jeopardy. He earnestly and solemnly entreated the house to take that opportunity while a measure of a different description was pending in another place, to adopt a line of policy which would improve the state of Ireland—would reconcile the catholic and protestant body, and would put an end to all those factions and dissensions which had so long distracted that country. That object could only be obtained by granting to the Roman-catholics their just demands; and every measure having that object in view should meet with his most cordial concurrence.

Sir F. Burdett rose to reply. He assured the house that he would not detain them for many minutes. He would merely recall to the recollection of the house, that Ireland, in its present condition, was attended with danger, and was a disadvantage to us either in peace or war. The danger or inconvenience which would result from granting their claims was simply this—the admission into the house of commons of a few catholic gentlemen, and into the house of lords of a few catholic peers, and the giving to the crown the prerogative, if it thought fit to use it, of appointing individuals of that persuasion to what were considered the offices of state. Whilst he knew that this was all the danger—if danger it could be called—which could result from granting

his motion, he could not shut his eyes to the dangers which daily arose out of the present state of things.

The house then divided.—The numbers were—For the motion, 247; against it, 234—Majority, 13. —Adjourned at half-past three o'clock.

House of Lords, March 3.—The *Earl of Carnarvon* moved, that counsel be heard against the Irish unlawful societies bill, which was negatived by 69 against 23.

The *Earl of Liverpool* proposed the second reading of the unlawful assemblies bill. He said he would call their lordships' attention to a few simple but important points upon which he thought the merits of this question really rested. He had no difficulty in the outset in distinguishing it from the larger question of what was called catholic emancipation, and which it was not necessary to touch on the present occasion; for the bill before the house rested on grounds so distinct and different, that he most sincerely declared, if he were the steadiest and most ardent friend of catholic emancipation in that house, he should still be prepared to say that this bill was in itself just and necessary. They had heard in the preliminary stages of their discussions, many observations made in one shape or another, relating to the general nature of this bill. A noble earl opposite (*Earl Grey*) had accused him of not taking a manly course of proceeding on the present occasion, inasmuch as he had not avowed that this bill was directed against the Catholic Association, but argued it as a general bill. Now, he was in the recollection of the house, whether he had not uniformly

formly stated and avowed most distinctly, that the Catholic Association was the principal object of this bill; but he said now, as he had said before, that though a specific evil might be the cause of a particular measure, yet when that measure comprehended other objects besides one, it ought to be very differently considered as to its principle from a measure of single operation, and with a single object. There were strong reasons when they were to legislate against the Catholic Association, that they ought also to include all other societies having an illegal tendency,—for instance, orange societies, and such, under whatever denomination, as were calculated to disturb the peace of Ireland. In that view, he submitted this bill to their lordships; he did not deny that the prominent object of the bill was directed against the proceedings of the Catholic Association, but it was coupled with a sweeping operation, which equally denounced all other bodies of men, acting upon a similar principle. The question, then, was to be taken in two ways: first, as to the support of the preamble, which recited the evasion of the convention act; and upon its own merits pointed at the dangers and inconvenience which must follow associations of this description. The palpable evasion of the convention act was in itself, he thought, a sufficient reason for this bill. In arguing this part of the question, he was quite ready to admit, that if the Catholic Association were in itself no evil, they had no right to extend against them the provisions of the convention act. Upon this point he thought the argument of his noble and learned

friend (the lord chancellor) was quite conclusive—namely, that if there was any sense or meaning in the convention act, the same principle ought to be applied in the one case as in the other, for the Catholic Convention and the Catholic Association were but different names for promoting the same end. He avowed himself to be one of those who, without at all desiring to speak harshly of the Catholic Association, had always thought such institutions as this—in such a country as Ireland, taking all its acts and circumstances into consideration—were utterly inconsistent with the peace and tranquillity of that, or indeed any other country in the world. He was equally prepared to deny, that this bill for the suppression of such societies was inconsistent with the free constitution of the kingdom. He admitted as broadly as any man, the right of the people to assemble for the purposes of petition—for the purposes of appealing to the legislature for a redress of grievances. He admitted as fully as any man, the right of the people to meet and state their opinions with the view of securing for their complaints, or petitions, a reasonable effect upon the minds of the constituted authorities to whom they were addressed. These rights he fully admitted, for they were among the most sacred privileges of the subjects of the British empire. But when he said this, he was equally prepared to assert, that an assembly, not meeting for the express purpose of petitioning—an assembly that had permanence for the character of its sittings, and a varied plan of organization, to redress unspecified grievances, that

that acted with a combined principle of interference in the due administration of justice, whether really intending to do good, or not, signified nothing for his argument—that an assembly so constituted was inconsistent, not alone with the peace of Ireland, but, he repeated, of any other country in the world, was a proposition which he was thoroughly prepared to maintain. It was impossible not to look at the circumstances under which this establishment in Ireland had been formed. The people of Ireland might naturally enough think they laboured under certain grievances for which they ought to seek redress from the legislature. They might be dissatisfied with the remaining part of the civil exclusions which affected them—they might feel the necessity and the justice of coming to parliament to make their case known, where alone redress could constitutionally be sought; but could any man who looked at all that had been done for Ireland within the last few years, not confess this—that more had been done—properly done—for promoting the peace and happiness of that country within a short space of time, than had been done for centuries before by preceding governments? This had been done by the government and the parliament: The whole revenue system of Ireland had been completely reformed, and to the entire satisfaction of those who were loudest in their complaints under that head—a reduction of taxes had been afforded to Ireland to an unparalleled degree—her direct taxes were swept away, and she paid fewer imposts than almost any

other country in Europe, while, at the same time, she had an equal benefit of the market in England, the country which had taken upon itself the whole of her (the Irish) debt. The administration of justice had been also reformed—the magistracy of Ireland had been reformed, and petty sessions established as the best security for the public against legal wrong; and every disposition had been shown by the government to suppress those societies which had a tendency to produce civil dissensions among the people. He stated those facts as a proof of the kind, the friendly, and affectionate disposition of the government of the united kingdom towards Ireland, the people of which they were so disposed to treat with so much liberality, indulgence, and favour. He only stated what had been done, to illustrate the feeling for Ireland which prevailed, and to show the absence of any great crying evil that required, for promoting public inquiry, the establishment of a perpetual organ, like the Catholic Association. Yet, in the midst of this state of things, had that body been organized, and assumed a far greater influence and importance than had before been exercised by the Catholic Convention, avoiding however the letter of the law enacted for the suppression of the latter, but preserving at the same time, virtually and fully, the evil of delegation, against which that law was directed. The intent was evident, and proved by their own acts, and the evasion would be complete if the legislature did not interpose and assert its proper authority. In arguing this question, he meant to avoid any discussion

cussion of the particular proceedings of the Catholic Association, or making any inferences arising out of them. He believed that body of men was constituted much the same as any other body of that sort could be any where else, and that their proceedings were of the same nature as those of any other body of a similar kind. Bodies of this kind were composed in general of various materials. Many innocent and well-disposed men were usually to be found among them, and the great majority never paused to contemplate the evils to which their proceedings led. His objection, therefore, to the Catholic Association was, not on account of any individual peculiarity which belonged to it, but that no such body could exist any where without producing these evils. He agreed that it would be harsh and often unfair to analyze parts of the proceedings of bodies so constituted; for their necessary and inevitable consequence was, he repeated, evil. He knew they must be irregular and uncertain, often intemperate; and the natural result was, that they hurried onward, by indefinite means, to indefinite objects, and produced evils without end, never contemplated by those who began the work. Therefore he should only dwell on the constitution of such bodies, to show that however dangerous any where, they became peculiarly so in Ireland, where, from the inflammable nature of party spirit, so fatal to that country, they must inevitably aggravate every species of animosity, and convulse society by the conflict of every faction armed against its peace. This was the unhappy

ingredient which entered into the very formation of societies of this description. Did they believe any such body could exist without those attendant evils? Some noble lords might think this a good instrument, or engine, for effecting a particular purpose—the best way, for instance, in their judgment, of promoting catholic emancipation; but he would even ask these noble lords if they thought a body like this would stop with any specific question, and whether they must not admit the greatest evil of its constitution was its undefined objects and permanent sittings. They must recollect, that the association had set no limits to its sphere of operation—they had framed no specific object, after the accomplishment of which they were to disembody themselves. On the contrary, they had heard, (he knew not on what authority, although the statement had certainly gone forth) that some communication had been made to this association, to inquire whether, in the event of the catholic question being carried, they would separate; and their answer was, that that concession would not satisfy them. From this it would appear that there was to be no end to their proceedings, and that if the professed aim of their original establishment were accomplished, they had still to prolong their existence for ulterior and unknown objects. He said this without reference to the individuals, or this particular body; and repeated that the nature of the evil was in the unavoidable constitution of this convention, and the consequences which must ensue, and which no government could or ought to tolerate. He defied

defied any noble lord opposite to prove that such a body were ever permitted to exist, coeval with a regular government. They might patch up acts of parliament—six together, if they pleased,—and say, have you not permitted this thing to be done, and the other; but he challenged them to show him when and where such a body as this, in all parts and character, had ever been suffered to exist in the previous history of the country. He would pass over the details of the Catholic Association, their discussions and debates, and come to the material feature of their system—to that which they called, not the Roman-catholic subscription, but the catholic rent. What was this rent? The very notion of the name, its essence, nature, and definition, were quite different from subscription; rent implied previous obligation, and he could hardly think that so expressive a name had been hit upon so accidentally. But call it rent, or subscription, or what they would, still by this arrangement a steady communication was kept up by the association with every parish throughout the kingdom, and money obtained voluntarily or involuntarily, for his argument he cared not which, raised or endeavoured to be raised from the whole catholic population of Ireland. He would assert that such a raising of money, however called, could not be properly termed voluntary. Though there existed no legal right to enforce it, yet where the country was cast into factions, and the appeal made to their sincerity, their zeal, or their passions, it was a farce to call it any thing short of compulsory. Who

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were the instruments for carrying into effect the collection?—the catholic clergy. Where the places for collection?—the catholic chapels. Who, then, who knew the existing connexion between the catholic priesthood and their flock, could doubt what was the real nature of this rent? He had even heard of an instance where a peasant had been actually dis-trained, for non-payment of this rent; but the quarter sessions had interposed, and given him protection from the illegal exaction. He did not dwell on this, to press it more than it was fairly worth in his argument, nor did he wish to touch upon the attendant circumstances, the registration, whether in black or red books; for in such cases, where the whole population were to pay, each man knew how far his neighbour had contributed or withheld his contribution, and each was a check upon the other, without any extensive machinery of account keeping. Some paid this money for religion—others for politics; and he believed that nine out of every ten subscribers paid because they could not help it, and to avoid being looked upon with an evil eye by any of their neighbours. He appealed to every man's good sense, of whatever party in this country, whether such a system as that which he had described could be tolerated? Let them see what an instrument such an association might become, with permanency for its character, and revenue at its disposal, avowedly interfering in the administration of justice—(again he repeated, he cared not with what intent, good or evil)—and the greater the influence of the

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body, the greater the evil). Take the millions of population said to be under their control, and let them be estimated at their own stated amount, and then, he said, the larger the number the greater the danger. He should ever remember a saying full of wisdom which he had heard from Mr. Fox, in the house of commons, on some question, he believed, relative to the Dissenters. "I hate," said that eminent individual, "the tyranny of the few over the many; but there is one thing which I hate and abhor still more—the tyranny of the many over the few." He applied this wise saying to the present case, and asserted, that the more formidable the body, the more intolerable its existence was capable of becoming in the state. He now came to two arguments which had been used in the course of these discussions: first, it was said this association had done no harm; and secondly, by others it was declared to have done good. As to the first, he would appeal to those who lived in Ireland to say, how exasperating had not been the effect of this association upon party spirit throughout the country, and how accumulative factious feelings of all kinds had not become. With respect to the second argument—its doing good by promoting, as had been asserted, the tranquillity of the country—he was prepared to deny it: if, however, it had done so, he should not be the less disposed to denounce the dangerous tendency of the association on that account. If a body of this description had the power of promoting tranquillity, it must equally be capable of producing disturbance at its own will and pleasure; and

in either case, he did not choose to rest the peace and tranquillity of the state upon the prudence, discretion, or temper of any such body of men. Again he begged to observe that he did not accuse this association, or any of the particular individuals who composed it, of intending harm to their country; but if he could have supposed there were amongst them any who meditated mischief, he should give them no credit for the avowal of their peaceable intentions; for the experience of human conduct showed, that no body of men were more loud in their desire for peace, more clamorous against those who threatened to disturb it, than those who were deeply conspiring against the state, but who waited to ripen and mature their machinations. He referred to the recent history of Ireland in the year 1798, and there they would find that the principal men who were engaged in the rebellion of that year, were, up to the moment of the explosion, preaching peace to their fellow-countrymen. It was a curious fact, that the party whose rebellion was put down, attributed their defeat to the premature violence which had roused them into action before their pre-arranged time; and an honourable member of the Irish house of commons (we believe Mr. Beresford) had taken credit for himself and his party having been instrumental in prematurely coercing the people into open insurrection, the better to ensure its suppression before they became too deeply and extensively organized for revolt. So that it was by no means reasonable to conclude, that the avowal of men's intentions was to be taken exactly

exactly in the manner in which they chose to put them forth. The power of the association was alike dangerous, whether they used it for the tranquillity or the agitation of that country. As to the present state of Ireland, it was owing in a great degree to the measures of its government. But he ascribed not its present peace and prosperity to one or to another. It was only to be ascribed to the returning prosperity of the empire. Under other circumstances, the spirit of opposition had a different tendency. Temporary distress then led to petitions and meetings to propagate reform in the institutions—reform in the parliament—reform in the financial policy. All these vanished at the returning prosperity, which engaged the industry of the country in the increase of commerce and in agriculture, and provided for the people more useful employment. In a qualified degree, Ireland had shared those new advantages. There, however, there was a powerful check to the growing prosperity, in the habitual vice of idleness which afflicted the people. The industry of the country, aided by its capital, would prompt them, and urge them forward to something better. In the mean time they must be let alone—their minds must not be influenced by the discussion of these angry questions. He owned that there was difficulty in legislating upon this point. He was not sure that this bill would prove to be a sufficient remedy, but he thought it not unlikely. In 1796, a noble and learned friend of his had brought in a bill to prevent seditious meetings. It was then averred that the bill would be evaded, and he himself had been

led, by a very ingenious speech which he had heard in the other house, to believe that it would be evaded. The bill never had, in any one instance, been evaded—it was perfectly effectual to its purposes. The same argument had been applied, followed by the same consequences, to one of the six acts. He could not persuade himself that this bill would be defeated in Ireland, after parliament had solemnly pronounced its opinion upon the law, and given the whole confidence which the expression of that opinion could inspire to the law itself. But if it were likely to prove ineffectual, he would still advise the house to adopt it, for this reason—he knew the consequences of their not putting down the Catholic Association. They must expect counter-associations. They could not say to the catholics—"You may associate;" and to the protestants—"You must not;"—they could not allow the catholics to combine, and forbid it to the protestants. Let them not suppose that the protestants, though fewer, were so poor in numbers, wealth, and power, and means, not to combine. This was the tendency of nature—one combination must produce another. In what a state would that country be, when arrayed in two great hostile parties? How could there be any effectual administration of justice? Their principle must be to put down all associations, or to permit all. Let them at least have it to say that they had done their best to secure the tranquillity of Ireland. His noble and learned friend had wished that the Catholic Association had been expressly named. He thought it better that it was not named. It

would now appear that the bill was not passed on account of the Catholic Association, nor out of hostility to any particular body; but to keep up the great principle of parliament of keeping down all associations. After enlarging upon the importance of the measure, the noble earl concluded by moving that the bill be now read a second time.

Lord King said, the noble earl had said, that the association was dangerous because it was so peaceable. Just so, in the rebellion, men were hanged because they had saved their fellow-subjects from incurring the same fate. It was assumed that this bill would perfect the Irish code. In his opinion, it would make that country more like hell, with which it had once before been compared; for what more could be wanting to complete the likeness, but confirming the possession of that power by which in Ireland the strong had always oppressed the weak? It was lamentable to observe the seeming blindness with which government looked on the sufferings of Ireland, which had notoriously attracted the attention and the affected sympathy of those powers upon whose alliance they so confidently and credulously leaned. They ought themselves, instead of this bill, to have come down with a motion for the repeal of the penal laws. Why did the noble earl decline mentioning the cases upon which administration had depended in the other house? Because they knew that they would, like the case of Ballybeg, be blown into the air. But the administration of justice in Ireland was so perfect, so kind, so affectionate—according to the noble earl. So affectionate

was it, indeed, that in 1823, in Tipperary, there were 497 committed under the insurrection act, and even Irish justice acquitted 417 of them. Throughout all Ireland, there were 1,700 and upwards committed under the same act—upwards of 1,400 were acquitted. Lord Redesdale, whom he was sorry not to see in his place, had asserted that there was one law in Ireland for the rich, and another for the poor. The noble earl had quoted the words of Mr. Fox, to show his dread of the tyranny of the many over the few. The house knew how to apply this to the state of parties in Ireland. As well might the wolves affect a dread of being devoured by the sheep, as for the noble lord to affect any dread of that sort on the side of the orangemen against the catholics. The claims of the catholics in that house resembled a bill in chancery. There had been endless disappointment—the expense had generally swallowed up the estate in the one court, as delay had nearly destroyed the patience of the catholics in the other. Sometimes, too, a cross bill was filed. In the same manner, when government ought to concede emancipation, they had brought in this most objectionable bill. The issue of both would be analogous, in the entire destruction of the state.

Lord Teynham supported the bill.

Earl Grosvenor wished that this bill had been postponed till some measure of conciliation had been put in progress. He had good reason to believe, that if that course had been taken, the Catholic Association itself would not have objected to this bill.

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He urged the weight of the opinions repeatedly given by Marquis Wellesley, though held back by administration, to show that concession and conciliation should go before this measure of coercion. The Catholic Association had no intention but to submit; though it was certainly a question whether the revolution did not secure them the right of resistance to a certain degree. He exhorted the house to consider well the danger of endeavouring to put what had been called an extinguisher on the claims advanced by the association. Whether the association were legal or not, their conduct, and that of the catholic body, proved against all the arguments to the contrary, that they were capable of using the advantages of representation in a wholesome and constitutional manner. The noble earl opposite was alarmed at the collection of "the rent," and showed an instance to prove that it was nominally voluntary, and not really so. He had been given to understand since, that no such process had ever issued as that mentioned by the noble earl. As to the mode of collection, he could speak to instances of subscriptions in protestant churches, where something very like "a red and black book" did exist; where men had subscribed "voluntarily" for fear of being "marked men." Still there was no proof of the illegality of the practice in either case. He could not see any reason why the Catholic Association should be viewed with so much terror and alarm. Its proceedings were open. Every facility was given to reporters attending them, so much so, that it was upon the evidence of a reporter, that the attorney-

general for Ireland attempted to get up a case against its leader, Mr. O'Connell. Was that gentleman, he would ask, punished, convicted, or even brought to trial for the language he used? No such thing—the bill against him was ignored even upon the evidence tendered by the attorney-general. This was decisive proof that there was nothing faulty in the conduct of the Catholic Association. As, therefore, no fault could be found with its actions, those who disliked its proceedings looked to its words; and having found the unfortunate words, "by your hate to orangemen," in a long and able address which it had put forth, seized upon it with the utmost exultation. He fully agreed with a noble lord, that the words in question meant little more than "by your hatred to persecution;" and if so, nothing could be more harmless than the adjuration which they contained. He was happy to see, that notwithstanding the efforts which had been made to excite the prejudices of the people against catholic emancipation, they had been attended with imperfect success: they had dwindled into insignificance, when compared with their violence some years ago. At that time, every nook and corner of our streets bore the mark of "no popery;" and, unfortunately for the cause of religion, the feeling of the people went along with that infuriated cry. At present the same hand-writing was on the wall, but the people cared little or nothing about it. Day and Martin, Dr. Eady, and Hunt, with his roasted corn and matchless blacking, beat it fairly from the field. For his own part, he verily believed, that if their lordships were

to pass a bill granting perfect emancipation to the catholics, it would either make no impression on the country, or be received as a great and positive blessing. For his own part, he could not speak with common patience of the conduct of his Majesty's ministers on that important question. That portion of them which wielded the lightning and guided the thunder of the state, which directed its energies and commanded its bayonets, that portion of them, he was sorry to say, was decidedly anti-catholic. It was not enough, however, for the cabinet to differ from itself, it differed also from its royal master, and by its obstinacy placed him in a most distressing situation. As king of Hanover, he was all conciliation; as king of Ireland, he was all coercion. To the catholics of Hanover, he said "ay;" to the catholics of Ireland, he said "no," upon the very same subject. It was true that his Majesty had it in his power to dismiss such advisers whenever he thought proper. A breath could unmake as easily as it had made them. It was said, however, that it would be impossible to get an administration which would act with unanimity on this question, and that it would be as difficult to form a cabinet that was wholly anti-catholic, as one that was wholly catholic in its politics. He did not know how that might be; but of this he was sure, that a ministry which was entirely anti-catholic would not be able to continue in office for a single session. He was sure that the question of emancipation might be carried with ease by any ministry that would act upon it with sincerity and open-heartedness. He knew of no event which

would create more satisfaction in Ireland, than such a consummation to the wishes of its catholic population. It would call forth the shout of *Io triumphe* and *Io Pæan* in every direction, and would unite our catholic brethren to our side, in the strongest bonds of amity and affection. Capital would then flow from every side into that country, which had been so long blest by the bounty of heaven, and cursed by the misgovernment of man. Tranquillity would be restored; confidence would be revived; comfort would once be introduced to the fire-side of a brave and contented population. The general feeling would be

"Nunc est bibendum, nunc pede libero
pulsanda tellus."

The noble lord might smile, but the people of Ireland, though they drank deeply now, would fill their bumpers still higher than before, in honour of so great and glorious a consummation. That it might not be long delayed, was his ardent and his constant wish: for he did not know any measure which would tend more to increase the power and consolidate the stability of the British empire. The noble earl then concluded by declaring his intention of voting against this bill.

The *Earl of Gosford* was opposed to the bill. If the Catholic Association had been left to itself, it would have died a natural death by this time. He did not consider it calculated to produce much mischief; certainly not so much as the measure which was intended to put it down. The remedy, in his opinion, was a great deal worse than the disease. He was convinced that the only way to confer a real benefit on Ireland

was to grant emancipation to its catholic population.

The *Duke of Sussex* said, that though he always felt considerable embarrassment in addressing their lordships, he had never felt greater embarrassment than he then did, in declaring his decided opposition to the present motion. The duty which he owed to his country compelled him to stand up as the opponent of the present measure, which he conceived to be utterly inconsistent both with the principles and with the practice of liberty. No reasons had been shown for passing it. Information had been asked for; but none had been given. The speech from the throne had told them that it was expedient that such a law should be enacted, but no mention had been made of any of the circumstances on which the necessity for it depended. The only reason given for it was, the notoriety of the evil it was intended to put down. He begged their lordships to consider what notoriety was. It was something or nothing; it was every body's, and therefore nobody's business. The information it conveyed was mere hearsay, and was evidence which would not be received in any court in the country. Ought it, therefore, to be admitted by their lordships in so important a case as the present, where the liberty of the subject was so materially concerned? A noble lord had illustrated the argument he (the Duke of Sussex) had just used, in a surprisingly happy manner. His lordship had said that he had been told that the catholics would not be satisfied, even if emancipation were granted to them. Were their lordships to be satisfied of the

truth of that assertion on mere hearsay evidence? Certainly not. He therefore contended, that if the association must be put down, evidence should be offered in support of the various accusations which had been made against it. He agreed with a noble lord who had preceded him, that the easiest way of putting down this association would be by granting the object for which it petitioned. The noble earl might smile again, if he pleased, at that declaration; but in uttering it, he spoke the conviction of his mind, founded upon the experience of history, which showed that complaint always ceased as soon as grievance was redressed. He had heard with regret the observation of a noble earl, that this association, though it had done much good, might have done much harm. He would advise the noble earl to look to facts rather than to probabilities. The noble earl had endeavoured to illustrate his argument by saying, that a candle was very useful in its way, but was very dangerous when placed too near a muslin curtain. He allowed it to be so, but he would not on that account extinguish the candle and leave the room in utter darkness. The noble earl, in arguing the propriety of this measure, had touched lightly on the catholic question. Now, he believed that the propriety of this measure could not be properly discussed without entering at some length into that question, which was closely connected with it. Since the year 1778, great privileges had been granted to the catholics; and he believed that those grants, so far from inflicting any harm, had conferred great benefit on the country. He had bestowed

bestowed much pains upon the consideration of this question, and he was convinced, from the various debates which had taken place upon it, that it had been the intention of the legislature to throw open the door of the constitution to all classes of his Majesty's subjects, as soon as it could be done without difficulty and danger. He was convinced that the sooner the catholics were admitted within the pale of the constitution, the better would it be for the tranquillity and stability of the empire. He made that statement from a recollection of the grateful manner in which former concessions had been received by the catholics of Ireland. As soon as the first concessions were made, in 1778, Ireland furnished us with 82,000 seamen, and so enabled us to recover our superiority on the ocean, from which we had been driven to the shelter and confinement of our ports. When he recollected that circumstance—when he looked to the immense force which we now kept up in Ireland—when he considered that measures of conciliation would tranquillize Ireland, and so enable them to dispense with that force altogether, or to employ it in some other portion of the empire—when he reflected that economy was the order of the day, and that the people had a right to expect some further reduction of the taxation which the war had entailed upon them, he could see many reasons why the house should emancipate the catholics, and not one reason to the contrary. He was prepared to contend, that the laws which had deprived the catholics of the political privileges which belonged to their protestant fellow-subjects were in-

duced originally for very wise political reasons. The Pope was at that time possessed of considerable power. There was a catholic sovereign in existence who had been very properly driven from the throne on account of his arbitrary notions. That sovereign, on retiring to Ireland, had obtained support from the catholics of that country—a circumstance which naturally excited great jealousy in the minds of the people of England. The penal laws against the catholics were therefore dictated by the paramount necessity of securing the liberty of the country by placing a succession of protestants on the throne. The danger, however, which had led to the enactment of those laws had now disappeared, and the laws ought to disappear with it. There was now no popish aspirant to the throne. The consequence of the Pope was gone; and, in spite of what was now doing on the continent, would never again attain sufficient strength to become formidable. He recollected the noble earl opposite saying, during the war, "We must not grant emancipation now, because the Pope is in the clutches of Napoleon, and may be compelled to use his influence against our interests." He had laughed at the argument at that time as unworthy serious consideration; and he must now laugh at the argument which had succeeded it, because, though dissimilar in its nature, it was equally ridiculous in its consequence. The noble earl now said, "We must be afraid of the Pope now, because the sovereigns who form the Holy Alliance have restored him to his dominions, and given him back a portion of his former power."

power." He would allow that those sovereigns had recently paid much court to his holiness; but he now stated what he had stated before, that they did it not so much for the sake of the Pope, as for the sake of securing their own power by his influence. The first moment that they chose, they could crush into nothing the idol they had just created. His opinion was, that if the restrictions which now pressed heavy on the catholics were taken off them, we should be able to bid defiance to a world in arms, and to take care of our own liberties—a circumstance which we ought not to treat with indifference, since he believed, upon his honour, that if we did not take care of them for ourselves, nobody would take care of them for us. He should watch over this bill in all its future stages, and give it his most strenuous opposition, if on no other account, at least to show the good will he bore to catholic emancipation.

Lord Kingston wished to make one observation on a case which had been alluded to by a noble earl. He had been on the bench at Fermoy, when the man came to swear that his sheep had been taken under a distress for the non-payment of the catholic rent. Inquiry was instantly made into the complaint, and it was found that the sheep had been distrained, not for any catholic rent, but for breaking into a turnip-field of one of the man's neighbours.

The *Marquis of Lansdown* complained, that after his Majesty's ministers had refused to give them any information on the extent of the evil which they sought to put down by this bill, and after their lordships had determined to reject

the evidence tendered at their bar to prove the non-existence of that evil, their lordships were called upon to give it their sanction upon a solitary fact, which had no sooner been stated than it had met with a positive contradiction. He should give his vote against this measure; and if he were asked for his reason for so doing, he would refer to those which were contained in the short but solid and constitutional speech of the noble earl who had so recently addressed them—a speech, in the whole of which he fully concurred, and which pointed out a much safer and constitutional course than that which His Majesty's ministers seemed inclined to pursue. Before, however, he proceeded to discuss the details of this bill, he should beg leave shortly to allude to the topics with which the noble earl had prefaced his motion. The noble earl had called the attention of their lordships to the great improvement which ministers had effected in the condition of Ireland. That improvement was rather of a late description. Tax had been imposed after tax, upon that devoted country, until it was found that the tripled and quadrupled tax produced less to the revenue than the original tax. After they had achieved that discovery, ministers determined to repeal that tax, and to see whether the revenue could not be increased by doing a simple act of justice. With respect to the administration of justice, he was sorry to state that he was more confident than ever he had been of its imperfect and partial condition. The proofs of that were now, or would very shortly be, before the public; and these

these were such as, while they called loud for a remedy of the evil, admitted of no contradiction. With this conviction, then, he would never endure to hear it said that the adoption of any better system was an indulgence to the people of Ireland, or that it was any thing but an act of justice which had already been too long delayed. Still he was grateful for it; and tardy as it was, he hailed it as a proof of some consideration on the subject, as a token that the complaints which had been so long and so repeatedly urged, were not breathed into ears wholly deaf to them. He now came to the particular measure before the house. He did not attempt to deny that the circumstances of Ireland were such as required great vigilance on the part of the government. No reflecting man could contemplate those circumstances without deep and well-founded anxiety. When he saw the extraordinary, but not by him unlooked for appearance which the country now exhibited, it was impossible not to apprehend that a rivalry, or—perhaps, he might rather be justified in saying—a conflict would arise between the power of the government and that power which had grown out of the actual circumstances of Ireland, which might lead to consequences full of danger. For this state of things he confessed that some remedy, some prompt and vigorous remedy, was necessary. But while he admitted this, he was bound to look, with no less caution, that the remedy proposed was sufficient for the purpose it sought to accomplish. He was obliged to inquire, and to ask whether, when it should be passed, the

danger would remain or not: or if the degree of irritation which might be produced by it, would not induce a worse, and not less fatal, because a new danger. But the noble Earl (Liverpool) said, if even although it should be shown that this measure was insufficient, still he would propose it: and he gave what he (Lord Lansdown) must think was a most singular reason for doing so. It was, that though it should prove ineffectual in putting down the Catholic Association, it would show that the efforts of government were equally ineffectual in attempting to put down their enemies. This would, indeed, be a notable enactment, and a worthy result of the grave labours of the government. It was, he supposed, intended for some very ornamental end, since it was not pretended that it could be useful. This was in effect the argument of the noble earl. But did he think that it would be likely, among its other effects, to increase the respect of the people for the measures of parliament, because it taught them that they need not obey unless they should be disposed—that the power of the parliament was insufficient to compass its ends—that the law might be evaded, and treated with indifference, if not with contempt? surely this proof that the government was

“Willing to wound, but yet afraid to strike,”

could have no other effect than that of alienating the minds of the people from them. But what was it that the present measure proposed to do, as against the Roman-catholics? He did not find that there was any intention (and God forbid there should be!) to put down the meetings of the Roman-catholics.

catholics. He perceived there was in the bill, among other clauses, an elaborate provision that any society which should continue to meet after the period mentioned, would incur — what penalty did their lordships think? Why, that such refractory society should not have the power of adjournment. A provision like this was worse than ineffectual, because it threw an air of ridicule over its own avowed weakness. He professed a great and very sincere respect for the order and form of the proceedings of that house: but he apprehended, that if assemblies should continue to be held after the passing of this bill, the provision he had alluded to would hardly have any effect in checking them. Even his noble friend (if he might be permitted to call him so) on the cross bench (Lord Colchester), who had once presided over and regulated the proceedings of another assembly, skilled as he was in all the forms which were observed by deliberative councils, (if by a stretch of imagination he could imagine him to be transformed into a thing so alien and so horrible to his nature as a Roman-catholic, and to be present at a meeting which should be held after the passing of this bill), would hardly be induced to decline entering upon the proceedings, because the adjournment from some previous meeting had not been formally recorded. Was it not obvious, then, that if the power of meeting at all should be left to the Roman-catholics, (and God forbid that such should ever be taken away), that the disposition would be in no way lessened by such a provision — that the excitement would rather be in-

creased, and that all the dangers which were apprehended from such meetings would exist in their full force, just as if no such restriction on their power to adjourn had ever been enacted? He would next advert to the subject of the rent, with respect to which so much had been said. He was free to confess he thought the name ill chosen and objectionable. But when this had been admitted, he asked their lordships whether it became them to pass such a bill as was now before them, merely on account of an improper phrase. The real question was, not what was called, but whether any improper power, any undue violence had been used to collect that rent. If any authority had been exercised, if any attempt in the nature of a distress had been made to enforce the payment of that rent, then, indeed, something like a case would have been made out by those who supported the measure. But he had also to complain that there was something like special pleading in the terms of the bills with respect to this. The words used were "levy and receive." These two words, the meaning of which were wholly different, were coupled together, if not with an insidious intent, at least so as to produce an unfair effect. To levy money in any way but by the authority of parliament was unquestionably illegal; but this the Catholic Association had not done, and had not attempted to do. To prevent money from being received, while one party was willing to pay and the other to receive, was wholly beyond the authority of parliament. He would ask, whether by any stretch of human ingenuity, by

any species of inquisition more searching and more rigorous than had been invented in the most catholic or the most bigoted country that the world ever yet contained, an accurate account could be extorted of every shilling that had been received, from whom it had been received, and to what purposes it had been applied? He would not detain their lordships by going into a consideration of the various means by which the provisions of the bill before them could be evaded. It was enough that it was obvious, as he doubted not it was to every one who heard him, that it could be so evaded. The bill, to be effectual, must take away from the catholics the disposition or the power to do as they had hitherto done; and since it was in every way impossible for the authority of the legislature to effect this, the matter which it affected to remedy would be worse after it had passed than it had been before. The evil was deeply and firmly fixed: its root was in the state of society in Ireland. Everybody knew that whole nations and communities might be held under an arbitrary domination—that the influence of power might wither and extinguish all the feelings and desires which tended to exalt and improve human nature; that men might be held in a state of servitude, and even reconciled to the loss of all their civil rights and privileges. This might be done—this had been done: but what arbitrary power could not do was, to keep a nation (and the catholics of Ireland might, with reference to their numbers, be called a nation) in a state of deprivation of their natural rights, while they were intermixed with

another people who were in the full enjoyment of all the blessings of civil liberty. All the ingenuity of the most learned lawyers—all the penal statutes which might be heaped upon the table of the house, could not shut the door against the influence of such freedom, could not intercept the feelings which must arise from the interchanges of sentiments, the communication of wealth between the nation in thralldom and the nation which was free. The very blemishes and defects—the very excesses to which the enjoyment of liberty sometimes led, would be loud and convincing exhortations to those who were without their fair share of its blessings, never to cease struggling for them until they were obtained. Their very obedience to the laws would teach them, that the reward of that obedience was the enjoyment of the rights of which it was the purchase. If the enjoyment of those rights were withheld—still more, if the attempt to obtain them on the part of those from whom they were withheld was punished by penal statutes—the legislature ought not to be surprised that discontent and disorder were the consequences. If they still resolved to withhold from the catholics the light and warmth of the sun of the British constitution, they must not be surprised that in their despair they should seek the assistance of those wandering lights, which fitfully and partially illumined the atmosphere in which they lived. Let their lordships think to what manner of nation it was that they were asked to apply this rigorous and unnecessary restriction. It was a nation which he hardly felt himself able to describe, and to which he

should

should therefore apply the words of a writer who was not less famed for the force and beauty of his prose writings, than for the inimitable excellence of his poetry. Milton, in speaking of the English nation, and addressing its rulers, said, "Lords and commons of England! Consider what nation it is whereof ye are the governors: a nation not slow and dull, but of a quick, ingenious, and piercing spirit; acute to invent, subtle and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to." Such a nation did he (Lord Lansdown) think Ireland was. He besought the house to remember, that over this nation there was exerted that most tremendous engine of modern times—the press; a power which, like that of electricity, roused the latent fire which existed in every part of the national economy, woke every sympathy of human nature to the keen enjoyment of the advantages which existed for the universal good of society. The people of Ireland were invited to participate in all the enterprises which England undertook; they were invited to participate in the advantages of the extensive commerce which was one of the chief distinctions of England amongst the other nations of the world, and in all the hopes of higher and more noble things to which that commerce gave birth: they were invited to enter the army and the navy, and they were taught to imbibe a love of honour, and to seek for its reward: they were invited to become the possessors of landed property—(one day his lordship should take occasion to show the house to what extent they had accepted this invi-

tation)—and, consequently, to encourage a wish to cultivate those honourable relations, and to obtain that distinction to which the possession of landed property naturally led them to look, and which would alone enable them to make to their country a fitting return for those honours. After these feelings had been excited—after these hopes had been encouraged, did their lordships think that by penal acts of parliament they could stifle the discontent which disappointment had engendered, or cure the sickness which was the consequence of those hopes delayed? It was not by making, but by repealing penal statutes that they could hope to effect such a purpose. Such instruments were wholly unequal and unfitted for the purpose.

———"The elements
 "Of which your swords are temper'd, may
 "as well
 "Wound the loud winds, or with be-
 "mocked at stabs
 "Kill the still-closing waters."

They must remove the necessity for such meetings as that against which the bill was levelled,—that alone would extinguish the mischief, and for ever annihilate the necessity of attempting to put down discontents. Since, however, this bill had been laid upon their lordships' table, he had entertained additional hopes that those discontents would be for ever composed. A circumstance had occurred within the last eight-and-forty hours, which, if he knew any thing of the catholic body, must exert a healing influence over them, and teach them the policy of suspending, for a time at least, the angry feelings which they had, not without reason, entertained.

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They had now much to look for—much to hope for. He could not sit down without expressing his opinion on this particular part of the subject; and if he wished that any part of what he said should be heard, or should reach the members of the catholic body, it was this: he conscientiously believed that in this, as well as in the other house of parliament, there were many persons who had voted, or who were about to vote, for the bill before them, but who were nevertheless as warm friends to them, and to their cause, as any persons in this world. This he wished the catholics to know and to be convinced of; and he wished them, moreover, particularly to place their full confidence in those who were their real friends. He believed the bill could not succeed in the object which it had in view, for the grounds he had stated; and that it would never be called into action, because it would be evaded, or because it would be rendered unnecessary. In this belief, he concluded what he had to say. Having stated his objections to the bill, he should not oppose it in its future stages with so much pertinacity as he should otherwise have felt it his duty to display; and he sat down in the fervent hope that the measure to which he had alluded, might have the effect of restoring peace and tranquillity to Ireland, and prosperity to its people.

The *Earl of Harrowby* said, that in the objections the noble marquis had made to the bill, it appeared to him that he did not deny the existence of the danger which it proposed to remedy, but he doubted whether its operation would be permanently effectual.

It said, that the enactments of the bill might be evaded. It doubtless would not be difficult for ingenious persons to find means of evading this or any other law; but he entertained a most sanguine hope, that when the association should have been declared illegal, it would no longer be continued. It could not be said that government had proposed the measure hastily. Ministers had waited for eighteen months to see whether the association would conduct itself in such a way as to justify the tolerance of it; but finding that the very reverse had happened, they were compelled to call upon government to put it down. Supposing that the association had been allowed to continue in its course, what would have been the consequence? Who could doubt that it would have been met by other associations? He was firmly persuaded, that if government had not adopted measures for the suppression of the association, there would have been not one rival parliament, but two on the other side of the channel. He wished the bill to pass, because he thought it was the duty of parliament to provide, as well as it could under existing circumstances, for the tranquillity of Ireland. Whenever he had attempted, however feebly, to advocate the cause of the Roman-catholics, he did it, not so much with a view to their exclusive benefit, as because he considered that their admission to civil rights was fully as much for the advantage of the protestant state—ay, and of the protestant church too—as for the catholics themselves. Whenever that question should be again discussed in that house, as he trusted it soon would,

would, and he should then have the pleasure of combating, side by side, with his noble friend opposite, he wished that it should come before them with every advantage—he wished that, instead of being obliged to rack his invention to find excuses for their conduct, interpretations for their expressions, and palliatives for their deliberate resolutions, which he grieved to say, had done the catholic cause more injury than ten thousand calumnies of its enemies could have effected—he wished, instead of this, to be able to show those persons who doubted the loyalty of the catholics, that, however they had been misled by persons, some perhaps meaning well, and some perhaps meaning ill, they had immediately, in obedience to the declared will of parliament, abandoned the attitude which every body must allow was more or less menacing in which they had placed themselves. The present measure would afford the catholics an opportunity of proving, that however they had been misled, they would nevertheless readily submit to the authority of parliament. By so submitting, they would advantage their cause more than all the arguments of their most able advocates could do. To conclude, he supported the bill—he would not say notwithstanding—but because of his attachment to the catholic cause.

The house then divided. The numbers were—content, 146; not content, 44; majority, 102.

Adjourned at a quarter before twelve o'clock.

House of Commons, March 3.—Sir T. Lethbridge brought in a bill for making a ship-canal from Seaton Bay, in the county of De-

von, to Bridgewater Bay, on the Bristol Channel.—The bill was read a first time; and on the question that it be read a second time,

Sir T. Lethbridge shortly explained the nature of the proposed canal. It was intended that it should admit of vessels of 200 tons burden; and one of the chief advantages which it held out to the public was the time which would be saved, and the risk to men and cargoes which would be avoided by its affording a way to ships without the necessity of their passing the dangerous navigation of the land's-end. The plan had been submitted to, and had received the approbation of, many persons who were best enabled to pronounce upon it, and they had all agreed that it would be highly advantageous. He wished it to be particularly understood, that this was in no way like the many delusive schemes which were now so frequently got up. He hoped he should be the last man to advocate any such schemes, because he believed they were all highly injurious to the country. The whole of the capital required for this canal had been actually subscribed, and amounted to 200,000*l*. The canal would pass through a very considerable extent of country, some of which was of a poor, and others of a rich description. The number of persons over whose property it was to pass, was about 1,000. Of these, 918 had been applied to, and only 50 of that number offered any objection to it. It was to pass near and through several large towns, the commerce of which would be considerably benefited by it. The coasting trade would also be made more secure,

secure, because it was intended to form spacious bays at each end of the canal, one of which would offer a harbour to ships in the British, and the other to those in the Bristol channel, in case of storms; and lastly, by the facility of communication which it would afford, the traffic between England and Ireland would be materially improved.

Sir J. Yorke feared that the proposed canal might have a detrimental effect on the coasting trade, and, by shortening it, destroy that service which had for many years been so excellent a nursery for seamen, and contributed in a very great degree to the brilliant victories which had distinguished the arms of this nation by sea.

The bill was read a second time, and ordered to be committed.

Mr. Maberly, after presenting a petition from the parish of St. Marylebone, for the repeal of the assessed taxes, rose, in pursuance of his notice, to bring forward an express motion upon the subject. To judge by the state of the house, the honourable gentleman said (which was remarkably thin at that moment), a stranger would almost imagine that some subject of very slight interest was to be discussed: of this, however, he was certain, that any person who would go from house to house throughout the country, would find nine voices in it out of ten in favour of the proposal which he was bringing forward. Concurring with the principles laid down by the right hon. the chancellor of the exchequer, on the subjects in general of foreign policy and free trade, still he was far from satisfied with the relief which the

present plan of that right hon. gentleman afforded. He did not say that the country was distressed, but still it had a right to all the relief which could be given; and he did contend, that the right hon. gentleman's project fell short of the principles which he professed. With respect, for example, to the article of hemp; there was a reduction on that commodity, but not a sufficient one. By bringing the raw article to England at a low price, our own artisans would derive a profit from the manufacture of it; but the duty, which had been 30, still remained at 15 per cent. Again, for the reduction upon coffee—the article was ill selected. There were a hundred petitions upon the table to repeal the duty on twenty other commodities, and not one to repeal the duty on coffee. The next item in the chancellor of the exchequer's list was wine; here was a reduction, but not of the kind which the country wanted. An attempt had been made to call wine an article of necessity—something or other hinted about “the sick.” He left that argument to those who thought they could make any thing of it; he considered wine to be merely an article of luxury, and an article the repeal of duty on which would not benefit the labouring classes a farthing. While necessaries were out of men's reach, it was not a time to repeal a tax upon superfluities. The right hon. the chancellor of the exchequer talked of the benefits of foreign trade; an increased consumption at home causing necessarily fresh demands for our own produce at home; but did the hon. gentleman really think—
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for the question of increased consumption came to that—that, because he had reduced the duty on wine one-half, every family in England, where they had drank one bottle would now drink two? British spirits formed another item among the reductions; and then there came the plea of smuggling: and yet he was not satisfied. For the measure of last session reducing the duty on Scotch spirits, it had merely served to carry all the smugglers straight to the border. To put half a crown duty upon spirits in Scotland, while the duty in England was half a guinea, was actually to give a bounty to the contraband trade. The present measure, at best, was but doing things by halves; for the reduction was not sufficient to prevent smuggling: if any thing could be done, it must be by an equalization of duties. But his main objection to the measure was this;—there were commodities out of number, a reduction of the duties upon which would have gone as far to diminish smuggling as this reduction upon spirits; and yet the right hon. the chancellor of the exchequer elected peculiarly to cheapen that particular article the use of which tended pre-eminently to demoralize and destroy our population; if this was getting rid of smuggling, which he denied, it was certainly meeting one evil by the introduction of another. The repeal of the duty on rum, he (Mr. Maberly) would leave to those who understood the matter better than he did himself. In the repeal of the duty on cider he concurred; in many counties it would be a convenience to the lower classes. Upon iron, as upon hemp,

1825.

he did not think that the reduction had gone far enough; and he repeated, that a reduction of the duties on tea, tobacco, soap, candles, silk, and a great variety of other articles, would have been more useful than the reductions which had been granted upon wine and British spirits. But he now came to the assessed taxes, which formed the main object of his motion; and he had no hesitation in saying that, with what had been done upon that subject, the country was entirely dissatisfied. The main desire was to get rid of the house and window taxes: for the rest of the duties, he was chiefly anxious about them, inasmuch as that an entire repeal, by getting rid of the commissionership, would save the country just 300,000*l.* a year. On the propriety of repealing direct taxes always in preference to indirect ones, there could not be a question; the right hon. gentleman, in his speech on the budget two years since, had admitted it. By getting rid of the assessed taxes, we got rid of all the machinery connected with them; of all that system of visitation and vexation which people thought more of than the money which they paid, and for the means of doing that—apart from all surplus—he had a fund instantly at command for it—the sinking fund. He was scarcely less anxious to get rid of the sinking fund than he was for the repeal of the taxes, so completely did he look upon it as a delusion in every view that regarded the public service. With all our sinking fund, 5,000,000*l.* a year, the national debt was greater now than it had been in the year 1815. With the assist-

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ance of that most incomprehensible measure, the half-pay consolidation scheme, we had got our debt, from 868,000,000*l.* in 1816, to 880,000,000*l.* in 1825. The late Mr. Ricardo had said truly, that he would trust no government with a sinking fund; that it would always be seized by the minister whenever he wanted it; in fact, it had been so: it had been seized by the right hon. gent. Formerly, we had been told that it was for the daily purchases that the sinking fund was valuable; that those purchases (though they meant nothing) kept it up on public credit. Now those daily purchases were thought less necessary, and part of the fund was put to other purposes. He did not mean to deny that the charge upon our debt had been diminished. Though its nominal amount was greater, the reduction of the four and five per cents. had lessened the cost to the country. But how had this saving been effected—by the operation of the sinking fund?—Not a jot. It was the consequence of that general prosperity in the country which had resulted from a decreased taxation. Whatever might have been the case at a former time, this fact was clear now, public credit needed no sinking fund to support it. He considered that fund as worse than useless, as delusory and dangerous. It was possible that there were gentlemen who might not be inclined to go all lengths with him, but would think a repeal of a portion of the assessed taxes sufficient. With regard to the house and window tax, he could hear of but one expression among all ranks—that they ought at once to be got rid of. The hon. member, after ob-

serving that his estimates were formed upon the produce of the various duties for the last year, stated that the total amount to which the repeal would go was about 3,970,000*l.* He should sit down by moving the following resolution:—"That the house and window taxes—the tax on servants and carriages—the tax on horses, dogs, hair-powder, game, and horse-dealers' licences, and armorial bearings—that it was expedient that the whole of these duties should cease."

Mr. *Leycester* seconded the resolution proposed by his hon. friend Mr. *Maberly*.

The Chancellor of the Exchequer was something surprised, after hearing the arguments of the honourable member for Abingdon, that he should not have either waited a few evenings longer to bring forward his motion, or have brought it forward in rather a different way; because the hon. gentleman grounded the feasibility of his project upon the extinction of the sinking fund; and upon that subject distinctly the honourable member for Aberdeen had given notice of a motion; and, on the other hand, the honourable member for Westminster had a motion coming forward upon that part of the honourable gentleman's speech which related to the house and window tax. As the case stood, however, he (the chancellor of the exchequer) would make a few observations in support of the course which he lately thought it necessary to adopt; and doing this, he should proceed upon the assumption that the honourable member for Abingdon found fault, not with the principles which he maintained, but with his application of them. The arguments of the honourable member

member went direct to the abolition of the whole of the assessed taxes. He did not contend that the 1,500,000*l.* of surplus should not be applied in reducing the duties upon articles of common consumption; but that three millions and a half more of reduction should be added, by getting rid of the sinking fund altogether. First, then, with reference to the articles already reduced—with several of these the honourable member felt displeased. The 15 per cent. duty remaining on hemp, the hon. member complained of; but he could assure him, that those interested in the article felt the reduction given a very considerable boon. It would be remembered, too, that though this remaining duty, at the present low price of hemp, amounted to 15 per cent., it would fall to a lower rate, if, as was very probable, the commodity itself should rise in value. The next item complained of was the reduction upon coffee: this was called a slight and unnecessary article to make alteration in. He could only reply, that it was an article in very general use, and one which would be more generally in use if the duty upon it were lighter. For some years past, its consumption had been decreasing, which was a certain sign that the duty was higher than it could bear; and upon the propriety of encouraging in our West India possessions, the growth of all produce which could be raised with little slave labour, he (the chancellor of the exchequer) apprehended that, on neither side of the house, there could be any doubt. With respect to the article of wine, he still contended that wine was not a mere article of luxury; and even if it

were so, he saw no reason why it should not be placed within the reach of the middle classes of society. The very arguments which the hon. member for Abingdon had made use of against the reduction of the duties on wines, were just the reverse of those which had been urged a thousand times over on different occasions by the honourable gentlemen who set round him. The reduction of the duty on British spirits the hon. member particularly found fault with—any other commodity whatever, and twenty were named, the tax had better be repealed upon. But the honourable member forgot that as the article of spirits stood, it was absolutely necessary to do something in the way of alteration. It was impossible, after reducing the duties (to prevent smuggling) in Ireland and Scotland, that the tax could be left at 2*s.* a gallon in Scotland, and 10*s.* 6*d.* in England. And, for the complaint that this measure did not complete the purpose—that, as there was still a duty, smuggling might still exist—that argument was perfectly true; but it must be recollected, every thing could not be done at once. The hon. member for Abingdon wished that the duties had been taken off tea, or off tobacco, rather than spirits; but even that project would not be found entirely free from objection. The reduction of duty given on spirits had cost the revenue 750,000*l.* Now, the duty on tobacco afforded 8,000,000*l.*; and to have reduced it less than 50 per cent. would have been to give no benefit to the consumer. Then say that, allowing for increased consumption, the loss of duty instead of 50 per cent. came to 25, still the cost of that

reduction would be 750,000*l.*; which, added to the reduction given in spirits, and the whole disposable sum of 1,500,000*l.* was at an end. Again, for the article of tea—certainly, the duty was heavy enough on that commodity—it was 100 per cent., and it produced 3,000,000*l.* But if the duty on tea were reduced, it must be reduced to a great extent—perhaps not less than three-fourths taken off. Here then would be a loss, at first sight, of 2,250,000*l.*; but suppose the eventual loss only to reach 1,000,000*l.*, where were the funds from which these enormous deficiencies could be made up?

Mr. Maberly rose to explain. His arguments were mistaken. He had not intended to recommend all those reductions, nor any of them, to the extent, perhaps, imagined by the right honourable gentleman.

The Chancellor of the Exchequer had not intended to mistake; but he was still fully prepared to show that no funds in any way disposable could meet the views of the honourable member for Abingdon. For, after all, it was the assessed taxes, according to that honourable member, that were the real taxes to be repealed; and that object was to be effected by giving up the sinking fund. Now the house would remember that, with reference to the assessed taxes, something had been done already. Within the last four years assessed taxes had been repealed to the amount of three millions and a half—that was, one half of them had been taken off. Out of ten millions, in taxes reduced, three millions and a half had been reduced in assessed taxes: this was

at least such a reasonable proportion as showed no inclination to neglect the subject. And the hon. member for Abingdon's plan was—"Get rid of the sinking fund, and you may repeal all the assessed taxes that remain." The hon. member was mistaken; either he was wrong in one of his statements, or even the giving up of the sinking fund would not enable government to meet his views. For, according to the honourable member's account of the sinking fund itself, it was not a fund of 5,000,000*l.*, but one only of 3,000,000*l.* Now, if the hon. member was right here, even the application of the sinking fund would not be sufficient for his purposes. It would be ridiculous to leave the finances of the country in that state, so that it would become a matter of doubt whether there should be a million of surplus, or a million of deficit. Several honourable members on the other side had admitted the expediency of retaining a surplus; but the motion of the honourable member would destroy all surplus. As to the observation of the honourable member, that his (the chancellor of the exchequer's) propositions respecting the reduction of duties had created universal disappointment in the country, he would only observe, that any such feeling had not been expressed to him, nor did he believe that it existed in the country. He rather thought, that if the opinions of the public could be known on this point, it would be found that the course which he had pointed out was considered as most consistent with a fair, just, and enlightened regard to the interests of the country.

After some observations from
Mr.

Mr. Huskisson and some other members, the house divided, when the bill was lost by 111 against 64.—Adjourned.

House of Lords, March 9.—The royal assent was given to the Irish unlawful societies bill.

In the *House of Commons*, Mr. Peel obtained leave to bring in the consolidation juries bill.

Sir T. Lethbridge presented several petitions in favour of the western ship canal bill. The hon. baronet then moved the second reading of the bill.

Sir J. Yorke said he had no wish to oppose the bill; his only anxiety was that it might not interfere with the nursery for seamen which we had in our coasting trade. He would wish to ask his hon. friend whether the company was prepared to lay by a certain sum of money, to be expended in case this cut across the country did not succeed, to fill it up again?

Sir T. Lethbridge said he was not prepared to do any such thing. As to the nursery for seamen, he thought the objections made on that head had been already sufficiently answered.

The bill was then read a second time, and referred to a select committee.

The house then resolved itself into a committee of supply.

The house resumed, and the report of the committee was ordered to be taken into further consideration on Monday next.

Lord Palmerston moved that the house do resolve itself into a committee upon the mutiny act.

The house then resolved itself into a committee.

The marine mutiny bill was committed.

The house resumed—the report to be received on Monday.

Mr. Martin moved the second reading of his cruelty to animals bill, which was lost by 50 against 82.

The second reading of the dissenters' marriage bill was postponed to Monday.

The other orders of the day were then disposed of, and the house adjourned at one o'clock.

House of Lords, March 15.—The spring guns bill went through a committee.

House of Commons, March 15.—*Col. Trench* obtained leave to bring in a bill for building a quay and terrace on the north bank of the Thames. Leave was also given to bring in bills for the incorporation and sale of Canadian waste lands; for enclosing waste lands in Van Dieman's Land; for the regulations of co-partnerships in Ireland. The assessed taxes bill was read a third time. The wine duties bill was read a second time.

House of Lords, March 18.—The army mutiny bill and the marine mutiny bill were read a second time, and ordered to be committed on Monday.

The report of the spring-guns bill was brought up, read, and agreed to.

The Scots judicature bill, and the assessed taxes bill, went through committees.—Adjourned to Monday.

House of Commons, March 18.—On the motion that the house do resolve itself into a committee of supply,

Mr. Goulburn moved a sum of 15,652*l.* on account, for the expenses of the protestant charter schools.

The motion was agreed to.

The next resolution was for granting

granting a sum of 5,160*l.* on account, to the society for discountenancing vice in Ireland.

Mr. Hume wished that the right hon. secretary would consent to lay before the house a return of the prayer-books and tracts distributed by this society in Ireland.

Mr. Goulburn said that this society had already gone to some expense in the erection of buildings.

Sir J. Newport again objected to the practice of these societies, of taking steps in which they could only be justified, if they were permanent, whereas they were depending on annual grants. It precluded all discussion on the vote, if they beforehand laid out money and involved themselves in debt, which was to be made good by the public.

The resolution was then agreed to; as was the next, for a grant of 20,000*l.*, on account, to the society for educating the poor in Ireland.

The next items were, a grant of 34,378*l.* on account, to the founding hospital.

A grant of 15,574*l.* on account, to the house of industry asylum, and hospitals attached.

A grant of 5,640*l.* to the Richmond (Dublin) lunatic asylum.

A grant of 7,544*l.* to the Hibernian society, for the support of soldiers' children.

These were agreed to, without any observation.

A grant of 1,150*l.* to the Hibernian marine society.—Agreed to.

A sum not exceeding 10,000*l.* to defray the expenses of commissioners for wide streets in Dublin.—Agreed to.

The resolutions of 2,500*l.* for the farming society of Ireland, 300*l.* for the royal Irish academy, and 722*l.* for the commissioners

of charitable bequests, were then successively agreed to.

19,998*l.* to defray the expenses of the Irish linen board.

3,681*l.* for the board of inland navigation in Ireland.

The remainder of the estimates were then voted without any division.

The Chancellor of the Exchequer proposed the third reading of the annual duties bill.

Mr. Sykes, after expressing his regret that an honourable friend of his was not now in his place to bring forward certain objections to some provisions of this bill; which he (*Mr. Sykes*) knew that hon. gentleman to entertain, declared, that with the leave of the house, he must now, himself, state a few of those in which he entirely concurred with the hon. gentleman he alluded to. The heavy duty that was continued, notwithstanding the generally liberal and improved system of our commercial policy, on our East India sugars, was a grievous restraint upon our trade, and a most burdensome tax upon English consumers of the article. It was perfectly well known that all the countries, almost without an exception, lying within twenty-five degrees on either side of the Equator, were by nature adapted for the production of sugar; and yet, such had been the narrow and mistaken policy of our governments, as to have so loaded with duty every other growth, that its imposts might be said to have confined the growth of sugars for our market to a few small and isolated spots of land in the Caribbean sea. Those duties amounted to a prohibition upon the importation of sugar raised in any

any other countries, excepting, indeed, in our vast East Indian possessions; and our East India sugars were burdened with an extraordinary weight of duty also. He called upon gentlemen on the other side of the house to account for this—namely, why, and on what grounds, such a duty had been thought proper to be laid upon a most important produce of our Indian empire, which contained a population of 80,000,000 of souls and more—who were ready to take our manufactures of us to a very large amount, provided only that they could find in our markets a vent for that native produce? If he was told that the object of the government had been to protect the West India interest, he must contend that the only effect of such a plan was to keep up and sustain a cursed and detestable system of slavery, the existence of which every man in that house must join with him in sincerely deploring. When he stated that the duty on West India sugars was 27*s.*, while that upon East India sugars was about 37*s.*, the house must immediately perceive that such a difference as 10*s.* between the two duties, was calculated to keep one of these sugars almost entirely out of the market; and, by consequence, greatly to repress and diminish the supply that would otherwise be poured into it. Now it was pretty generally allowed, that abundance of produce was the very sinews of commercial prosperity. On the other hand, it was true that there was a drawback allowed on the exportation of sugars, amounting to 6*s.* per cwt.; but it could be easily shown, that that drawback, without effecting any benefit for

this country generally, by increasing the supply, and diminishing its price, served only to put upwards of 1,000,000*l.* in the pockets of the West Indians. It was with pain that he felt himself bound, on this occasion, strongly to object to the course which his Majesty's ministers seemed disposed to take upon the subject. He had with pleasure supported them, on many recent occasions, in the principal measures of what he conceived to be their improved policy. He had had the gratification, in the course of this and the last session, to see them reduce the duties on wool, timber, iron, hemp, and wine itself; and in all the principles upon which right honourable gentlemen over the way had suggested those reductions, he (Mr. Sykes) had most cordially concurred. Even upon questions, perhaps, of more doubtful expediency—as when the bounties on our fisheries were withdrawn—he had gone with ministers, upon reflection, because he conceived that trade could only flourish by being entirely free. But to retain the duty upon East India sugars, did appear to him a resolution on the part of government which was calculated most materially indeed to injure our commerce. Why was that duty to be continued, if it was (and that every body would admit) so contrary to those principles of free trade which ministers themselves had advocated with so much energy in other cases? Was it for the sake of exhibiting an anomalous variety in the maxims of our modern commercial policy? He called upon the government to set open the sugar trade, as it had done others, and not to make it the exception to its revisions. As
for

for the West Indians, all the benefit which the present regulations might procure to them was lost to us. At present, indeed, the produce was so much greater than the consumption, that the drawback in question was not so great a bonus to the West India grower, as under other circumstances it might be. But what would be the case, whenever the consumption should equal the supply? Why, whenever we happened to grow no more sugar in the West Indies than was equal to the consumption or demand of the market, the West India interest would have a complete monopoly of that market. The East India trade, in the mean time, was suffering severely from this inequality of duties; and the public were left, altogether, without the benefit of a fair competition. No other heavy goods were called for in the East India trade, except rice, saltpetre, and sugar; but sugar alone offered that permanent and advantageous article of commerce, which it was the duty of government to encourage by a more equal apportionment of the duties. The keeping up this prohibitory system, as he might call it, not only encouraged slavery in the West Indies, but had in a most considerable degree cramped and paralyzed the productive energies of India. To prove, as he had said, that the West Indians themselves considered that they derived no very material benefit from the drawback allowed on the exportation of sugars, he should cite an authority which, with the hon. gentleman near him, and the right hon. gentleman opposite, would have far more weight than any thing he (Mr. Sykes) could offer. It was

the declaration of a gentleman holding a distinguished situation in the West Indies—who was allowed to possess the best and most extensive information on these subjects—and who was himself the agent for the Island of Jamaica. He meant Mr. Hibbert. (The hon. gentleman here read an extract from a letter signed by Mr. George Hibbert, and published in the *Royal Gazette* of Jamaica, the 1st of May, 1824. This letter contained an admission on the part of the writer, that the drawback allowed on refined sugars was little short of a gratuitous bounty of about 6s. per cwt. on the exportation of all West Indian sugars—that such was the opinion of the standing committee of the West India islands.) The house would be pleased to observe, that this drawback of 6s. per cwt. would amount, upon the total of sugars imported from the West Indies into this country, which was, perhaps, 190,000 tons, to about 1,140,000*l*. Now, these facts were admitted by Mr. Hibbert himself; he allowed that the bonus afforded by this drawback on bounty would be to such an extent; and yet that, large as this bonus was, it would not answer the desires or the necessities of the West Indians. It would be observed, that year after year, time after time, the West Indians came to this country, and to that house, asking for further relief and assistance; and that, to whatever extent that assistance might be afforded, it never proved satisfactory or sufficient. He (Mr. Sykes) had a further objection, however, to bounties of any kind, upon this principle—that they never, or rarely, were serviceable to

to the country. A free unfettered trade, left to its own energies, was that which mainly served and enriched the country. If a bounty was allowed on sugar or any other article, the only effect was, that the foreign consumer would buy it so much cheaper; and in that case it must be allowed, that we ourselves made a present of so much to the foreign consumer. It had been said, that a rise of prices in colonial produce was rather beneficial in some respects than otherwise; and thus it was often argued, that such a rise of prices improved the condition of the West Indian slaves. But he denied this. He had reason to believe, that the only effect of such an advance in prices was, that the slave was compelled to work the harder during all the time the improved market was likely to last. The free labourer, indeed, might benefit under such circumstances, but not the slave. And this would appear from a very slight review of one or two important facts. In the Bahama islands, where the slaves were generally better treated than in many parts of the West Indies, and sugar was not cultivated, the average increase of slave population with reference to other of the islands, was about three per cent. In Barbadoes, where very little sugar was raised, the increase was about one and a half per cent. In the larger island of Jamaica, where the cultivation of this produce was carried on to a much larger extent, the decrease of human life was about one per cent.; but in Demarara, in Guiana, the great mart for sugars, and where the most considerable number of slaves were employed in its cultivation,

the decrease of human life was about three per cent. The honourable gentleman, after again calling on government to remedy such a defective inequality of duties as that which he had pointed out, sat down, protesting that he would never cease to advocate the cause of free trade all over the world.

The *Hon. Mr. R. Gordon* repelled the insinuations which the hon. gent. had thrown on the West India interest; and contended, that a rise of prices must be favourable to an improved condition and comforts of the negroes.

Captain Maberly observed, that the protecting duty on West India sugar had been defended on the ground that the legislature, by its enactments, had induced individuals to embark their property in the West India colonies; but that he held to be no sufficing reason for keeping up the price of an article which might fairly be denominated a necessary, of life. In his opinion, it would tend greatly to the interest of this country, if it were not at all connected with the West India islands. From the time of Adam Smith, down to the present day, every intelligent writer on political economy had condemned our colonial connexions. The trade to the West India islands was, to all intents and purposes, a losing trade to this country; and the sooner England got rid of those colonies, and of the heavy expense which they incurred, the better would it be for her interests. Sugar could be procured at a comparatively moderate price from the East Indies; and by importing it from that part of the globe,

a double

a double advantage would be gained: on the one hand, the article would be cheaper; and, on the other, the country would be relieved from those heavy military and civil establishments which she, and not the colonies, now supported.

Mr. Blair supported the West India interest. The country, he contended, was not prepared to adopt the sweeping proposition of the hon. member who had just spoken.

Mr. R. Ellis said, a solemn compact had been entered into between the mother country and her colonies—the former having stipulated to grant every protection to the latter; and that compact ought never to be lost sight of. On that ground, he objected to the course proposed to be adopted by the hon. member with whom the debate had originated, and, generally to the arguments of those individuals who advocated the introduction of East India sugar, and who would fain force West India sugar out of the market. He conceived it to be most unjust to attempt to deprive the colonies of the protection which they now enjoyed in the markets of this country. Every species of British manufacture was protected against competition. The same might be said of the linen of Ireland, and of the salt fish of North America; and why should not the same protection be afforded to our colonial produce? Did those who wished to have the sugar of the East Indies imported into this country, mean to grant to the persons who cultivated it, all the rights and privileges which they themselves enjoyed—all those rights and privileges which were

possessed by the West India proprietors? He believed they did not; and if that were the case, then he came to this decided conclusion—that the same protection which was afforded to the West India planters ought to be conceded to them. The advocates for East India sugar argued, that it ought to be imported, because it was produced by free labour: but if this argument relative to free labour were carried to its full extent, it would be very unfavourable for many of those who adopted it. Gentlemen would recollect, that the greater part of the cotton which was manufactured in this country was brought in its raw state from the southern provinces of America (Georgia, for instance) and Brazil. Did they not know, that a great portion of those who cultivated cotton in Georgia were slaves, and that the whole of the cultivators of cotton in Brazil were also slaves? Were they not apprized of the fact, that the numbers were kept up by constant draughts of negroes from Africa? Now, he would ask, did not those persons who purchased cotton thus raised, encourage, nay, aggravate slavery? Why, if they held slavery in such abhorrence, should they encourage it, by using the slave labour of another country? Yet, if they did not, they would be obliged to break up their intercourse with a great part of America, and altogether with Brazil—a sacrifice which his right hon. friend, the president of the board of trade, would not, he apprehended, be very ready to make. Neither did he think, even if the matter were explained to the manufacturers of this country, that they would be ready to accede to a proposition

a proposition for refraining from the use of cotton the produce of slave labour. The hon. gent. then contended, that the bounty on the exportation of refined sugar, the produce of the West Indies, was perfectly just. He wished that his right hon. friend (the chancellor of the exchequer) could bring forward some equitable arrangement by which the interests of the two parties connected with this question would be preserved, while each of them received a certain benefit. As to the proposition of his right honourable friend, with reference to rum and brown sugar, he feared, if it were not considerably modified, that it would prove an injury, instead of a benefit to the colonies.

Mr. Sykes explained.

Mr. F. Buxton said, that no desire existed on the part of himself or his friends to oppress the West India interest: but they were anxious that justice should be done to the black population of the colonies. A good deal had been said about the bounty afforded to the West India proprietors. One gentleman said it was 3s.; another said it was really nothing; and a third had told them that it was something, but he did not state what. It was therefore, he conceived, a fair subject of inquiry. He hoped ministers would grant a committee, before which the facts could be stated, and then he had no doubt that what his hon. friend *Mr. Sykes* had said, would be found to be correct. It was asserted, that a rise in the price of sugar was good for the slave, and that a depreciation of price was prejudicial to him. Now he denied this. A reduction of

the price of sugar must of necessity occasion a reduced growth of sugar; and how, he asked, was that to injure the negro? A reduction in the price must produce one of two effects—either the proprietor would cultivate less land, or that if he did continue to cultivate it, he would substitute some other article of growth. In either case, this must be beneficial to the negro. If the proprietor ceased from cultivating his estate, the negro would of course be exempted from labour; but if, on the other hand, he continued to cultivate, the negro must be employed in raising provisions. He was sure, that the custom of not growing provisions was one of the greatest evils in the colonial system; and he believed that many persons thought the growth of provisions in the colonies should be attended to almost exclusively. The custom of keeping up high prices by giving artificial bounties, caused the neglect of this branch of cultivation; and the removal of a system which had such injurious effects would be extremely beneficial. Take it either way, it must do good: if the cultivator ceased to employ the negroes, there would be a diminution of labour; but if he still chose to employ them, there would be an increase of provisions. It was quite clear, that where the least quantity of sugar was grown, the slave was better off than where the cultivation of sugar was carried to a great extent. In Barbadoes, each slave was calculated to cultivate annually 5 cwt. of sugar; in Jamaica, two and a half; and in Demerara, 7 cwt. In the first island, there was a small decrease in the population; in the second, a small increase; and, in the third, the

the diminution was as great as could be occasioned by war, famine, or pestilence.

Mr. Trant feared that the effect of discussions like that which had arisen on the present question would be highly injurious to the interests which were involved in it. He was sure that if similar measures were adopted with respect to the East-India interests, the consequences would be such as must be universally deplored. Whatever might be the opinion of the house as to the principles on which the privileges enjoyed by the West-India proprietors was founded, it would be, in his opinion, equally unwise and unfeeling to take from them at this time those advantages.

Mr. Bright would not have been induced, at so late an hour of the night, to have addressed the house, but for the silence which his Majesty's ministers had thought fit to observe on this occasion. He did so now, chiefly for the purpose of expressing his hope that those persons who professed themselves the friends to the principles of free trade would take care that the West-India interests were not the only exception to the general application of those principles. Those interests had already suffered materially from the effects of a system opposed to that liberal one which was now so warmly praised. The exports from the West Indies to North America had been reduced to almost nothing. He could not sit down without observing on one of the statements which had been made in the course of the discussion. It was said, that the mortality among the slaves was proportioned to the great or small production of sugar in the

various places where it was cultivated. In support of this assertion, a comparison was drawn between the slaves in Demerara and Jamaica and those of the Bahama islands. Nothing could be less satisfactory than such a comparison, because the occupation and the habits of the slaves in those places were wholly distinct, and the fertility of the soil was not less different. It would be as just to compare the slaves of Jamaica with those who were employed to work the Mexican mines. It had been said, too, that the condition of the slaves was more to be deplored in those colonies where the production of sugar was ample, than where it was scanty. This, if it were true, would be opposed to all the concurrent testimony of every man who had written upon, or who knew any thing of, the subject. It was the interest of the planter to take care that his slaves were well fed and clothed, and it was obvious that he was better able to provide for them when a large supply and better prices were the consequences of their labours. It had been proved beyond all question that the condition of the slaves was in all respects better in times and places where the general interest was flourishing, than where it was depressed. He would not now enter further upon the subject, but he called upon honourable gentlemen, and upon the ministers in particular, to take such measures with respect to the West-India interests as were consistent with the principles of free trade—to do justice to those interests, and not to leave them in the lurch while they professed to extend the benefit of such principles universally.

The *Chancellor of the Exchequer* said, he wished to explain why he had refrained from taking any part in the discussion on the present occasion. The bill had passed through all its stages up to the third reading without any objection, or the show of any opposition, having been offered on the subject of the duties. He had indeed been given to understand by the honourable member for Weymouth (Mr. Buxton), that it was his intention, and that of some of his friends, to avail themselves of the opportunity which the third reading would give them, of expressing their opinion on a part of the question. He (the chancellor of the exchequer) had suggested to the hon. gentleman that such a course would be inconvenient, but still it was preferred, and had now been followed. No opposition had, however, been offered, nor had any alteration been suggested, with respect to the duties. He thought, therefore, that he was fully justified in remaining silent, and that it could not be thought he had done so from any feeling of disrespect to the gentlemen who had thought fit to express their sentiments on other parts of the measure. What his opinion was, the bill he had brought in sufficiently explained. The duties for the year to come would be the same as they had been for the year past. He felt that whatever might be the theoretical principles belonging to this measure, it was one of so much difficulty and delicacy, that it would at present be highly inexpedient to act upon those principles in their rigid extent. Whether future circumstances would occasion a change in the measure he had submitted

or not, was what he would not now speculate upon; but he should have thought it unreasonable (and he had no doubt that other persons would have thought so too), if he had proposed any scale of duties different from those contained in the bill.

The bill was then read a third time, and passed.

The house adjourned at half-past twelve o'clock to Monday next.

House of Commons; March 21.—On the motion of the *Chancellor of the Exchequer*, the house went into a committee of supply.

Mr. Herries moved, that 160,000*l.* be granted to his Majesty to defray the expense of civil contingencies.

Mr. Hume observed, that this grant was one of those which the committee generally voted on the credit of the minister, and on which members were obliged to confine their comments rather to the expenditure of the past than to the estimate of the coming year. On looking at our diplomatic expenditure, of which part came under this grant, he was compelled to say that it far exceeded what the country required. The country could not be aware of the sums which it annually paid to its residents at foreign courts; if it were, he was sure that there would be a loud demand from all quarters for its diminution. He could see a reason why it was formerly necessary for this country to have a resident at the different courts of the petty sovereigns of Germany; but he could see no reason why we should not withdraw them at present, since it was notorious that those sovereigns had now no will of their own, but merely moved

moved as the holy alliance pleased to direct them. Our diplomatic expenditure for the present year amounted to 300,000*l.* Now for this extravagant expenditure we had no balance, no return, and therefore it was that he called upon the committee to examine into its details. If in the year 1816, when it was proposed to bring within bounds the diplomatic expenditure of the country, which during the war amounted to any sum the minister pleased to charge, any body had said that the same rate of expenditure would be continued for 5 or 6 years longer, nobody would have credited the assertion; and yet such had actually been the case, for in the last seven years we had expended 2,060,000*l.* in the expenses of our ambassadors alone. Surely some mode of retrenching this expenditure ought to be devised, in order to rid the country of some of the vexatious taxes which now pressed so heavily on thousands of individuals. He complained of the manner in which the accounts of the diplomatic expenditure were intermingled with those of other departments of the state. For instance, in one class of the civil list, 226,000*l.* was annually charged for the expenses of our ambassadors. He was aware that in one year, 11,000*l.* and in another 7,000*l.* or 8,000*l.* of this sum had been returned: but still the average amount was 226,000*l.* Now, in addition to this sum, bills were annually sent in from each of our residents, which had reached, he must say, a most unwarrantable amount. In the year 1792, they were but 5,900*l.*; in 1818, they had reached 27,000*l.*; but in the last year they had reached the ex-

traordinary sum of 80,000*l.* So that our diplomatic expenditure at present amounted to somewhere about 312,000*l.*; and this, too, exclusively of the 60,000*l.* which was now wanted for the establishments of our different consuls in South America. He had no hesitation in saying that our diplomacy for the current year would, in some way or other, cost us 400,000*l.* He contended that the right hon. secretary for foreign affairs would consult the interests of the public by withdrawing our ministers from the petty states of Germany. A fund would so be created for defraying the expenses of our new diplomatic relations with South America, which, if it were not so defrayed, must ultimately become an intolerable burden upon the country. The hon. gentleman then complained of the great expense occasioned by our embassies to the various great courts of Europe, and especially to that of France, and concluded by expressing a hope that the right hon. secretary would do every thing in his power to lessen and curtail them.

Mr. Canning replied, that the house of commons had in the year 1816 minutely examined the whole diplomatic branch of the public expenditure, and then laid down a scale for its future arrangement. It was therefore by the result of that investigation they ought to judge of the present establishment. He could assure the house, that he had guided himself by the scale then laid down in all his arrangements respecting their diplomatic expenditure, and had also endeavoured, as much as possible, to make such retrenchments therein as could be made consistent with the

the public exigencies. With reference to the expense of the different public missions to South America, that was a completely new subject—one of such large extent, and as yet so unexplored, that it was premature to call upon him, either to say, whether any given sum in the shape of a vote should be deemed the utmost extent which the public would be called upon to pay, or whether there might be a possibility of diminishing any of the missions already established among these new governments. He could, however, assure the hon. member, that he had carefully examined the allowances given in this branch of the public service, and was of opinion they ought to be considered as regulated rather lower than above the fair principle of remuneration. It was, he thought, quite clear with reference to these new governments, that if this country were disposed to encourage a close connexion with them, they must be prepared to meet the necessary burdens of the new expenditure arising out of such closer connexion. It was, however, as he had already said, a new and unexamined part of the public expenditure at present. But, as to what the hon. gentleman had said of seeking to defray the expense of this new part of the public service, by a retrenchment out of the diplomatic missions among the smaller states of Europe, he was quite surprised at such a proposition. The hon. gentleman must feel, that in many of these missions to the smaller powers there was involved a larger question than the mere expense of diplomacy, which would retard any wish of abandoning the subsisting diplo-

matic connexion with the minor courts. It was surprising to hear such a wish hinted from the hon. member, who was always the advocate of preserving the independence of this part of the lesser European confederacy by the aid of British influence. He should have thought that such a retrenchment as the hon. gentleman had alluded to would amount, if carried into effect, to an abandonment of public duty. Indeed, he thought that the good-will of such powers was well purchased by the comparatively trifling expenses of the diplomatic establishments which it had been their policy to maintain in them; and he could assure the hon. gentleman, that in the three instances in which he had reduced the expense of these missions, it had cost the British government great pains to convince the courts where such reductions took effect, that it was not therefore intended to lower them in the estimation of either Great Britain, or the other larger states in Europe. With respect to what had fallen from the hon. gentleman on the subject of the Paris mission, he was entirely confident that the late ambassador would have been unable, without the aid of his private property, to have sustained the essential dignity of his diplomatic station out of the allowances which were assigned by the government for his use; and as to the present ambassador, with whose private affairs he was better acquainted, he could assure the honourable gentleman, that that noble lord would feel himself perfectly satisfied, if in addition to his allowance of £11,000, he had not one half as much more, perhaps entirely as much, to supply from

from his private fortune, in balancing his expenditure. He agreed in the propriety of selecting men of independent fortunes to fill such high offices; but he would add, that they ought not by undue reductions to make them unfit for others who might be called, without such private advantages, into the service of their country. He thought it was most desirable that the sovereign should be enabled to select the men best qualified to discharge these duties, without reference to accidental advantages, and always to have the office placed upon that proper scale, which would enable such persons to perform its functions in a becoming and honourable manner. He repeated, that he had always endeavoured to regulate this department with reference to the scale agreed upon in 1816; but he must say, that he did not think the mere mention of particular sums in its expenditure, with a circumscribed reference to particular and evanescent circumstances, was the proper way in which the country ought to estimate such matters, either with justice to the individuals, or with reference to the honour and utility of the public service.

Mr. Hume could not agree with the right hon. gent. that the scale of 1816 ought to be considered as permanently fixed upon the country, for it had been formed upon the expenditure of the three preceding years of great diplomatic extravagance. What he complained of was, that they had not retraced their steps, and made the expenditure more suited to their recognized principle of public economy. It was not for him to say, for he had not the necessary information for the task,

which of the German embassies ought to be reduced, or why they should be called upon to pay so many thousands a year for an embassy to the Two Sicilies, where a plain consul would answer just as well. But when the right hon. gent. talked of the feelings of foreign powers with reference to the amount of rank and expense assigned to the embassies to them, he begged to ask him, whether Holland, for instance, where the British embassy cost 14,000*l.* a year, and where a minister with 6,000*l.* could do the business, did not wish this country to reduce the rank of the embassy, and complained that she could not maintain one upon the same diplomatic scale to represent her in England? Indeed, so convinced was he that reductions could be made in the diplomatic branch of the public expenditure, except in the embassies to the three great powers, that he was very much disposed to propose a reduction from the large sums now paid under that head, which amounted to upwards of 300,000*l.* a year, exclusive of 60,000*l.* to the new American missions. There was another branch of the items to which he wished to call the attention of his Majesty's government—he alluded to the item of 8,247*l.* for paying the expenses of the Spanish commission for investigating the claims of British merchants. Where were those commissioners—who were they—and what had they done?

Mr. Canning said, that though he could not, perhaps, give as satisfactory an account of the progress of these commissioners as might be wished, yet he hoped he could explain both the nature and

propriety, as well as necessity of their appointment. Among other concessions which it had been found difficult to obtain from Spain, there was one that always had been of most difficult persuasion—namely, the tender of pecuniary compensation. It would be recollected, that a few years ago, many British ship-owners had incurred heavy losses by captures made upon them by Spanish subjects, contrary to the law of nations—they naturally solicited the protection of their own government to obtain redress, and various applications had, in consequence, been made to the then Spanish authorities. After this course had been duly taken in the statement of the losses of British subjects, and no proper redress afforded, the government felt itself called upon to issue an order to the British commander-in-chief on the West India station, to make reprisals upon the commerce of the Spanish islands to the amount of the British claimants; but it was thought reasonable, when this order was issued, and before it was carried into execution, that the government of Spain should be informed of the fact, before summary measures of redress were resorted to. This led to a further negotiation: in the first stage of which the Spanish government conceded an acknowledgment of the principle of the British claims, and abandoned that denial of justice which was their previous ground. The matter was then referred, upon the admission of the principle, to a convention which was to inquire into the specific extent of the losses, for the purpose of their eventual liquidation. During the

1825.

preliminary proceedings, and before this convention was in progress of execution, the Spanish government underwent a change, and the king of Spain upon his restoration annulled all the acts of the preceding government; but subsequently this single convention was again recognized: indeed, it was the only act of his predecessors which his Spanish majesty had admitted. The convention being thus resumed, the commissioners went to work but slowly, from the peculiar circumstances under which they had to act. Months were lost before the king of Spain had appointed new commissioners, and he was sorry to say, that even during the last year the Spanish commissioners had been changed no less than three times. Notwithstanding these impediments to the execution of the convention, he was glad to state, that of the claims of British merchants, estimated at upwards of 400,000*l.*, nearly 200,000*l.* of them had been investigated and admitted by the Spanish authorities—he wished he could add, paid; but as he had already said, money was not easily obtained of late in that quarter. That the whole of the claims would be acknowledged he had no doubt, and he did not absolutely despair of their ultimate adjustment. This object had never been lost sight of by the British government, and had been retarded owing to the untoward circumstances which he had already explained. As to the expenses of the commissioners, he begged to inform the hon. gentleman that they would not be ultimately defrayed by the public generally, but by a *per centage*

levied upon the amount of claims, which was the object of the investigation.

Mr. Baring inquired, whether something had not been said about a compromise of these claims on the Spanish government, by a remuneration out of the British treasury.

Mr. Canning said, that that could only be done with the consent of the claimants themselves.

Mr. Hume wished for an explanation of two items of 6,400*l.* and 4,100*l.*, which were paid to the commissioners for executing the treaty of Ghent. Was that treaty yet completed?

Mr. Canning explained, that a convention had been agreed upon between this country and the United States of America to regulate the claims of the latter for some injuries sustained by them from British subjects. There was an article in that convention by which it was stipulated, that if any misunderstanding arose in the execution of the convention, the matter in dispute should be referred to the arbitration of the Emperor of Russia. It became necessary in the progress of this business to make such reference, and the decision was against this country, by which it became necessary to make a payment beyond that originally contemplated when the convention was set on foot. It was only at the end of the year before last, the emperor of Russia gave his decision, and last year the commissioners sat to carry this part of the arrangement into execution. The items, therefore, could not be brought forward before the present time. He would not say that this would be the last payment which the coun-

try would be called upon to make on this account, although he could promise it to be the last but one.

Mr. Hume next objected to the sum of 1,034*l.* granted to the dean and chapter of St. Paul's, comprised within this vote, for their expenses in repairing and cleansing the cathedral church and the monuments therein. He wished to know on what authority this sum had been granted? Did not the dean and chapter consider the monuments as theirs? Did not they charge the public considerable sums in fees for looking at them? The disgrace of this practice was greater still at Westminster Abbey. After the public had expended hundreds of thousands in placing monuments to great men in those churches, the dean and chapter not only refused to admit the claim of the public to any property in those monuments, but laid a severe tax on the public for looking at them. He must divide the committee on this sum, unless some of the ministry would give him a satisfactory explanation by describing how these fees were applied, or by promising that the public should be satisfied at some early period.

The Chancellor of the Exchequer could not undertake to answer as to the application of all the pence and farthings collected by the dean and chapter of the cathedrals, for showing the monuments. No doubt it was incumbent upon them to repair the churches; and at St. Paul's they had lately been put to considerable expense in repairs near the roofs, on account of the altitude of that part of the building near the cross. Of course they

they would take all fair and legal opportunities for reimbursing themselves. Now it was quite clear that the care of protecting and cleansing the public monuments would not devolve on them as a duty of the same kind with repairing and cleansing the cathedral. As to Westminster Abbey, he was not officially bound to answer for the management of the dean and chapter. He did admit, however, that it appeared to him that they had not observed their duties as they ought to have done. He had heard repeated complaints of the difficulty of seeing the monuments, and of the careless way in which they were shown. And certainly, when he had visited that church himself, he could not but observe how the spectators were driven from place to place, without being allowed time duly to examine any thing, and that the fees for seeing were exceedingly large. The treasury, however, had no power to examine into the matter, much less to reduce the fees.

Mr. Hume was happy to hear so well-deserved a chastisement bestowed upon the avarice of the dean and chapter. The explanation of the right hon. gent. was not sufficient. They had ample revenues to keep up the church—allowances far beyond the intentions of the founders of any such buildings in any Christian community. They were literally wallowing in wealth. Why should the public be burdened with charges on account of so rich a body of men?

Sir John Sebright said, that he had felt shame instead of pride in showing the monuments devoted to great men who had contributed

to make their country glorious, when he had accompanied, on some particular occasions, learned and intelligent foreigners to the cathedrals, and at every step they were assailed with demands for fees. It was high time to do away with this national disgrace.

Mr. Hume objected to another sum, which had, notwithstanding the repeated remonstrances of the lords of the treasury for four years past, amounted to from 1,600*l.* to 2,000*l.* The money was advanced to meet bills drawn upon the government for the maintenance of from 300 to 400 negroes, artisans, and mechanics, who were retained by the government at Berbice. It had been said that free labour was cheaper than slave labour; and in order to make an adequate experiment, these 300 or 400 negroes had been held in the pay of government, under commissioners appointed to manage them; in consequence of a request from the honourable member for Bramber, and others of the emancipation party. It turned out, however, that this labour could only be made to answer the expenses of supporting it by grants from government, which the lords of the treasury had objected to, but yet persisted in paying it. He really thought that too much lenity had been shown by the chancellor of the exchequer in this matter towards the colonial department, the members of which ought not to have suffered this experiment to be carried on at the expense of the British public. Surely, when they called upon gentlemen who were interested in the protection of West Indian property to relinquish some part of the claim they made on their slaves, they ought

first to set the example, and prove the superior power of free labour by manumitting these 300 or 400 slaves. He was astonished to find how tedious and complex a correspondence the bad management of this subject had called up. It was no wonder that the attention of government was not given to important subjects, when abuses of this trifling, though reprehensible nature, took up so much of their time.

The Chancellor of the Exchequer admitted that, on the cession of Berbice to the British crown, the government had taken possession of those 300 or 400 negro artisans held by the previous government, and that at the suggestion of a very considerable and humane party in that house, they had undertaken to have them held by commissioners of their own paying, in order to make trial of the effects of free labour in their maintenance. Those persons, like many others who employed agents abroad, were betrayed and brought into dangerous expenses, and finding it impossible to fulfil their trust, returned it back to the government, to manage it by its own commissioners. He had nothing to say for the project in either case. But there were the slaves, and government knew not what to do with them. Undoubtedly, if the charge could be got rid of without the danger of exposing the poor creatures to absolute distress and misery, it would be due to the interests of the British public to adopt the mode of abandoning it.

A vote of 820,000*l.*, to pay the interest of exchequer bills for the year 1825, was also agreed to. After a short discussion the house resumed.

Upon the motion of Mr. Huskisson, the house resolved itself into a committee on the American and West India trade.

Mr. Huskisson said, although the resolutions with which he should conclude his speech would be entirely in accordance with the recommendations contained in his Majesty's speech from the throne, and also with the disposition prevailing in that house—and fortunately prevailing, as he thought—in respect of the removal of various restrictions affecting our commerce, still he apprehended that he should be under the necessity of requesting that the house would extend its indulgence to him during a considerable period of time this evening; more particularly when he reflected on the many and extensive interests which were, or which might conceive that they were, liable to be affected by those resolutions; and on the alarm which might probably be excited by them in various quarters of the empire; and, in fine, on the many predilections and prejudices which might be shocked or affected by the measures that he should feel it to be his duty to submit to the committee. He trusted that the committee would forgive him, if, with a view to obviate, if possible, all misapprehension, he should go more at large into explanatory statements than he might otherwise have thought it necessary to do. When he said this, he begged at the same time to assure the committee, that if the alterations of an existing system which he had on this occasion to suggest, should be found at variance with the ancient sentiments of the country on these subjects, and with the ancient policy to which its former

government had adhered, it was not because he considered those sentiments to have been originally erroneous, or that innovation on that policy must necessarily be improvement, that he now came forward with these new propositions; but it was because the state of the whole commercial world, and of the circumstances of countries, had undergone so material a change in subsequent periods, that the parliament was therefore so strongly called upon to revise its enactments in respect of our colonies and their commerce; and that it became them, as practical statesmen, to examine their true interests in these matters, and to look at their trade with reference to those important changes. It was only upon a view of these considerations that he desired to be considered as an innovator. He did not desire to be supposed to propound any new principles where there was no such new state of circumstances to call for their enunciation. Feeling as he did—and as the experience of every day only taught him the more strongly to feel—that in a country like Great Britain, where such multiplied, such vast and such valuable interests were in some degree at stake on a question of this kind, it became them to weigh with circumspection any innovation that might be suggested in establishments and institutions which had so long subsisted. Under such feelings, he had meant to submit to the committee this evening—first, the expediency of revising and altering our commercial policy in respect of our colonies; secondly, the expediency of parliament's looking carefully into the duties which had been here-

tofore imposed on many of the materials used in our own manufactures; and also into the system of prohibitory duties in respect of all imported manufactured articles, the produce of other countries; and thirdly, whether, from a revision of all these matters, they could not acquire the means of establishing some arrangements more beneficial to the commercial and shipping interests and to the navigation of this empire. It would have been, he at first thought, most convenient to take these several matters altogether; but he found that such a course would inevitably lead him into some details, which, particularly at so late an hour, and under the dread he felt of committing too long a trespass on the time of the house, he had afterwards thought fit to postpone. He proposed, therefore, to defer the two latter matters for the present, and to confine himself to the consideration of our colonial policy only—that division of the general subject, indeed, which might, just now, be considered the most important and the most interesting. Every gentleman who heard him must be aware that the system of colonial policy which had hitherto prevailed in all European states in respect of their colonies, and in Spain and Holland, particularly in regard to their dependencies in the new world, had been this—to exclude such colonies from all commerce, except that which should be carried on with them to and from the parent state. He apprehended that the exclusive system had, in all European states, been considered to be of the very essence of their colonial policy. In the enforcement of it—he should be

be apt to say, in the rigid and even inhospitable enforcement—of such a policy, Spain, perhaps, of all those powers had been the most strict, and, if he might use the term, most exclusive. But there were other powers of Europe who had afterwards manifested that they were not less rigid, and less jealous in maintaining the same principle. Indeed, if he was not much mistaken, so universal had this national system of a colonial policy been considered, that it had been held to be a part of the international law of Europe. And, accordingly, it was laid down as the rule of the prize court on this subject, at some time during the continuance of the seven years' war, that no colony belonging to a state at war with another, could avail itself of the intervention of a neutral vessel to carry on trade with any other but the parent state, because it was deemed that the neutral might be ultimately engaged in supplying the enemy of that parent state. To this extent had the rule of the old colonial policy of states been carried. But had no changes, he would ask—no extraordinary and momentous changes—occurred within the last few years in the character and condition of these colonies? The committee must, of course, be aware what was the situation of that vast colony, the Brazils, for example, in the year 1808, when the royal family of Portugal emigrated from Europe to South America. But he might go farther. What was the past and present situation of the great island of St. Domingo? What was the former state and the now actual condition of those extensive countries in the two Americas which were formerly the colonies

of Spain, and with which all intercourse whatever was strictly prohibited by that crown to all the other countries of the world? All these colonies had now formed themselves into independent states. But what was the situation even of those two great dependencies that still retained their allegiance to the Spanish monarch—namely, of Cuba and Porto Rico? In these, also, extraordinary changes had taken place: and if gentlemen considered how much these alterations of circumstances must affect the commerce and the condition of all the world—how certainly the same causes must operate on our own trade, and must affect the feelings, and condition, and opinions of those whose interests were involved in that operation; he trusted that they would think he had made out a sufficient case to justify him in saying that parliament was now called upon to go into an inquiry such as he had the honour to recommend. In the effect of those general changes this country must participate; and, perhaps, by reason alone of the fact of such participation on her part, parliament was so called on to enter upon this important subject; but, above all, they were called upon by that sort of compact which bound the stronger to protect the weaker, and by the pleasing prospects of realizing, through such means, reciprocal advantages. Such considerations as these, however, belonged probably to a more general view of his subject than he at present intended to open; but, at least, he felt bound in that committee to ask whether the changes he had alluded to had not proved beneficial to the colonies themselves?

And

And whether, if they had so proved beneficial to the colonies themselves, they were not likely, in proportion as the principles of free trade should be carried still further, and be still more developed, to benefit the mother country herself, who derived from them so much of her supplies. If the fact were so, he would ask whether it was possible that we, trading in the same productions, but maintaining the trade of these colonies at other duties than were imposed on our own trade with other countries, and meeting our colonial produce in other markets, therefore, under such different duties, could hope to continue a competition in those markets, in the long run, successfully? He would ask, whether if they did continue this monopoly, and this exclusive system of duties, they would not only be weakening the attachment of the colonies to the mother country, but be weakening also the general commerce of the country itself? He demanded, therefore, whether this present system of monopoly and restriction was practically safe, and politically wise, in respect to the interests and the trade of the mother country? Again he called upon the house to recollect the great political and commercial changes which had been going on during the last 50 years, and which had more or less affected all the countries extending from the St. Lawrence to Cape Horn; and to consider whether, amidst the number of reflections that would be excited by such changes as must affect a great maritime power like Great Britain, they were not called upon to view them, particularly in relation to such

immense possessions, both insular and continental, as we still retained in those parts of the new world? If they looked at the rapidly increasing growth, and the present state of the commerce of the United States of America, then, again, the house must entertain the consideration of that commerce with a reference to the commerce, the trading interests, and navigation of our own country. All these were matters which it peculiarly became those hon. gentlemen who had the interests, and who might be said to have the charge, of British commerce at heart, maturely to weigh and to consider. It had been for centuries the policy of all the great states of Europe, having dependencies which they held in the nature of colonies, to make the dependencies, in all respects, altogether subservient to the interests, or the supposed interests, however, of the mother country. He believed that he might safely say, there was no country which in the application of those principles of colonial policy that he had mentioned, and which were evidenced in the imposition of prohibitions on the one hand, and the grant of relaxations on the other, had proceeded with so much regularity as Great Britain. To prove this position, he should first apply himself to the case of Ireland. Hon. gentlemen must know that in the year 1780, Ireland was, as to all matters relative to navigation and commerce, treated as a colonial dependency of Great Britain; and especially under the operation of an act of parliament passed in the reign of George I. (but since repealed); and in virtue of which act the English parliament had assumed

assumed the power so to treat her. It was not his intention to enter into any statements connected with the relative condition of that country at different periods, or with that misery and poverty which were so often, unhappily, the subjects of complaint and regret. But it was material to observe of her, that up to the year 1780—only 45 years ago—she was held in a state of the most rigid subservience to the supposed interests of Great Britain—not only as to her external commerce, but even as to her manufactures, and the produce of her internal industry and invention. It was in the year 1778 that certain proposals were made in the English parliament with a view to obtain some relaxations of the commercial restraints imposed upon the trade of Ireland. It was proposed, among other things, to allow Ireland to have a direct trade with our sugar colonies, limited to the purpose and extent of supplying her own wants as to that produce. It was proposed, moreover, to allow her to export certain of her own manufactures, such as glass, to other countries; but all such exportation of her woollens was to be strictly prohibited. Those propositions were submitted in 1778; and how were they received by parliament? On the part of the country and of that house, a most violent opposition to those suggestions was expressed. It was contended in that house, that Ireland had already received great boons from this country; and that to give her any more, would infallibly pave the way to the ruin of our commerce, our agriculture, and our navigation. And that with the boons which had been already granted

to her, Ireland ought to be satisfied. And what were the boons which, in the commercial wisdom and liberality of those days, were thought sufficient to satisfy the reasonable expectations of Ireland? England being then at war with America, her parliament passed an act, (which was only a temporary one, however, and continued from year to year) empowering her to export her butter and beef to our colonies in the West Indies, which could no longer be supplied from America. But another measure was hailed, at that time, as the greatest of all boons; for whereas Ireland had then a separate army, and a separate establishment, in part equipped and paid out of her own means—which Irish army, moreover, had been sent to fight our battles in America; and which it was then proposed to equip at our proper expense—it was absolutely proposed, as the greatest of boons, to allow Ireland to “clothe” it with her own manufactures. From the great manufacturing districts and other places, petitions from the various interests who thought themselves likely to be aggrieved poured into parliament against even these grants; and, in effect, they were refused. He had looked back for those petitions, and examined the language of some of them, in order to see how far the liberality of the proposals to which they related really went, and what was the foundation of those prejudices, which were now, he hoped, extinct, although they had formerly exercised so powerful an influence. There were several of these petitions. In that from Glasgow, the petitioners prayed “that neither then, nor thereafter, might any

any favour be granted to Ireland which could in any way be prejudicial to Great Britain." And so far he was heartily disposed to concur at all times in their prayer. But they went on to state that the latter, meaning Great Britain and the city of Glasgow in particular, "had an hereditary right to the sugar trade." The petition of Manchester went still further; for it gave a colour to the question of extending something like a favourable relaxation in the old system to the trade of Ireland, as if it were one, in its consequences, resolving itself into a question of loyalty and allegiance. As to Liverpool, (and he now quoted the very words of the Liverpool petition,) the townspeople represented that if the proposals in favour of Ireland should be acceded to, "the town and port of Liverpool must be reduced very speedily to its original insignificance." It was not, perhaps, very extraordinary, considering the clamour which was raised by so many great trading interests, that it became impossible to sustain proposals, even of this moderate nature, in behalf of Irish trade. In the year 1779, after the experience of the fate which attended that first attempt, a much more limited proposal was made to the house—namely, to allow Ireland to go into the market just to buy as much sugar as she wanted for her own consumption, but dropping all the other advantages of the trade in that produce; but this proposition was also negatived. At the end of the year 1779, however, the progress of events in America, and the condition of alarm in which Ireland was placed, led to the entertainment by the English parliament of different

views, and state necessity was thought to justify the concession of that which colonial policy and commercial illiberality or prejudice had so long refused to grant. In the year 1782 all the boons that had been asked for were confirmed by the parliament's repealing irrevocably that act under which a system had been enforced so ominous to the trade of Ireland. Afterwards further measures of relaxation were adopted, and continued to the time of the union. At the union the system was still further relaxed, and other beneficial measures had been adopted since that time. Thus the act allowing the exportation of grain out of Ireland was a great relief to her trade. So the legislature had proceeded from time to time to adopt similar steps, until about two years ago they were enabled to repeal the last of those restrictions which the old policy had imposed on Irish commerce, and which were called the union duties. The commercial relations of the two countries were at the same time put upon the footing of what might be called a simple coasting trade. He had now given the committee very shortly the history of the restrictive system of Ireland: it had been founded by prejudice and ignorance; and the legislature had at last arrived at this result—that it was proper to be destroyed. And he would ask any man in England or Scotland, whether any one of those evils which their predictions had anticipated had really accrued to the manufactures, commerce or navigation of Great Britain from the granting of this relief to Ireland? But he would ask them, too, whether—whatever might be, in point of fact, the benefit

benefit which Ireland had reaped from that relief—this country had not also derived the full advantages that always attended a free unfettered trade? He would call upon those whom he was now happy to call his enlightened colleagues, the townsmen of Liverpool, to look back on those alarms and apprehensions which agitated them when they sent up the petition he had adverted to, in which they expressed themselves afraid that their town would revert back to its original insignificance. He would beg his colleagues to tell him whether, to the rapid growth of their trade and of the town (an increase within the last 30 years almost without a parallel in the history of commercial improvement), any thing had more contributed than free trade with Ireland—a trade in which Liverpool participated more largely, possibly, than any other town in Great Britain; notwithstanding these very arguments which it had put forth, at the first dawn of that free intercourse, to show that it could anticipate from such an event nothing but its own annihilation. When he stated this case of Ireland, let it be observed, he stated a case that laboured under every disadvantage; for the benefits that the new system of regulations was calculated to confer upon her had been very much impeded by the events of the last 30 years—by the civil disturbances of which Ireland was unfortunately the scene—by the consequent destruction of property that ensued—by the long and unfortunate war which followed, in which we were so long engaged, and which compelled us to call upon her for pecuniary aid to an extent that her resources

were not adequate to satisfy. Notwithstanding these drawbacks on its operation, the new system had tended to confer very great benefits both on England and Ireland; and England, by extending it to that part of her empire, had been spared the pain of finding herself in a situation of rapid improvement and increased knowledge and wealth, while Ireland should remain (as she must have done, had the restrictive plan been continued) in a condition of comparative poverty and decay, and behind all the world in intelligence and the development of her resources. It was, perhaps, necessary for him again to advert to those prejudices which not more than 40 years ago formed a part of the colonial policy of this country. He must allude to the period of the American war. Into the circumstances, however, of that war with North America, into the causes which led to, and the facts which were connected with it, he would not now enter. Were he to do so, it might no longer, perhaps, excite any feeling of animosity or jealousy, but he might not succeed in making out that sort of case which the committee, as Englishmen, would always look to as the foundation of what they could consider a just and necessary war. But those circumstances, such as they were, produced a separation of those countries from our dominion, which led to events that could not be irrelevant to the subject of colonial possessions. Apart, however, from all other considerations—not looking to the United States in reference to their separation from any political thralldom, but considering that repatriation in the light, merely of a question

question of commerce and commercial advantages—he begged to ask whether any hon. gentleman who heard him was of opinion that that event had been attended with any prejudice to our interests? If gentlemen thought that any such prejudice had been sustained by us, then he would ask the committee to consider the case of other colonies, also released from political thralldom, but still retaining their dependence on Great Britain; their seamen forming part of our seamen, their commercial marine part of ours, their population part of our people, and contributing largely to their support. Was it not worth while, in such instances, to give to those colonies all the benefit of a free trade, while they would still have the benefit of their former connexion with, and dependence on, the British empire? Was it not worth while to form out of them, the advantages that must arise from such an accession of strength to the British empire, and the interests of British commerce, still preserving them in allegiance to the British crown? Seeing, then, what the united states of America now were, in point of commerce and navigation—looking to those vast states which were now forming in other parts of the continent of America—adverting to the immense changes that must be effected in all our commercial interests by the gradual consolidation of those altered relations which were now forming between the old and new world—anticipating the prodigious commercial benefits that must now rapidly diffuse themselves over that boundless ocean which might be said to connect the western shores of one

quarter of the globe with the eastern coasts of the other—and looking to the vital interest which Great Britain must always have in the maintenance of her maritime greatness, he hoped he should not be accused of harbouring any unfriendly feeling towards the united states of America, or any other power, or of contemplating any thing else but the fair and honourable race of commercial competition in proceeding to consider by what means the commerce and navigation of Great Britain might be best secured against the navigation and commerce of other states. He should here state, that he thought the conclusion at which the committee must arrive from the premises he had stated, would be this—that a system of exclusion and monopoly did certainly tend to impede and cramp (at the least) the energies and the prosperity of our colonies. He maintained, in the next place, that the legitimate inference to be drawn from that conclusion was, that any system having this tendency to cramp and impede the prosperity of our colonies, must be also prejudicial to the prosperity of the parent state, in all that concerned its commerce and navigation; because the parent state must be affected by that which operated on the prosperity of its colonial connexions, from whence it drew a portion of its supplies. Begging the committee to bear in mind this general conclusion and inference which he had drawn from the premises he had laid down, he next proceeded to consider what was the present state of our colonial system with respect to the commerce of our colonies—what relaxations of our colonial

system and commercial monopoly in respect of the colonies had been already allowed—and what further relaxations of that system and monopoly he wished the committee to assent to. By the acts of 3d and 4th of Geo. IV., we had permitted, so far as related to the united states of America, an intercourse between our plantations in America and our colonies in those quarters. The enactments of the 3d and 4th Geo. IV. limited this sort of intercourse to a direct trade between such colonies and our plantations, and to certain articles specified in the act. By a subsequent act, parliament had permitted a direct trade with Europe; but it had confined that intercourse to British ships strictly—the trade being allowed as between the colonies and any friendly ports whatever in Europe. As to the colonies and the United States, an intercourse was permitted in ships being of the same country and ownership as the goods they imported into the colonies; but this was not extended to a trade on the same bottoms with Europe. With respect to their trade with British America, that was limited to ports and ships of British America and the colonies; but the produce or goods were not restricted as in the other cases. A British-built and owned ship, in short, only restricted as to cargo to the articles specified in the act, might trade between the colonies and any European port. The house must see, in point of fact, that since parliament had determined to consent to put America and our colonies on the same footing in regard to the shipping engaged in the trade, it was an accommo-

dation to the United States most decidedly, because other countries, within the meaning of the act, were without any shipping that could transact any such trade. Perhaps it might have been expected that the grant of this privilege to the shipping of the United States—a privilege not granted to the ships of any other state—was an advantage and encouragement to them. But they had offered us no advantage in return; and it was a privilege which they were not entitled to claim under any stipulation or treaty. It was, therefore, with some little surprise that this government had learned, that after the intelligence of this beneficial arrangement in favour of American shipping had reached the United States, that government proceeded to pass a law to this effect—namely, to consider all British ships engaged in this commerce with the colonies, and resorting to the ports of the United States, as liable to the American alien duties on their tonnage, until the British government should concede this further advantage—"that the productions of the United States should be admitted into the ports of our colonies on the same terms as the like productions of any other countries;" expressly meaning by "any other countries" our own productions, or those of our own colonies themselves. A pretension was thus asserted which was never set up by any other power in its commercial relations with us; nor ever granted by us or any other power to America. It was a pretension implying that we were to grant, on our parts, no protection whatever to the staple commodity of our colonies, nor make any difference

difference between it and the like produce of any other country. Had we said to America in reply, "we require that the sugar and rum of Jamaica shall be admitted into New York or any other of your northern states on the same terms as the sugar of Louisiana or any other of the southern provinces of the Federal Union, which comprises all the United States," the demand would have been thought unreasonable and extravagant; but not one jot less extravagant or less unreasonable was it, on their parts, to make such a demand, as they had done, against the interests of our own colonial commerce. When intelligence of the course taken by America had reached this country, it was clear that we had but one of two courses to take—either, under the authority of the existing acts of parliament, to forbid her intercourse with our colonies altogether, or to protect our own shipping by imposing similar duties on the shipping of the United States resorting to our colonies. This last would have been a very inconvenient mode of proceeding indeed, tending greatly to lessen, too, the benefit to the consumer in the West Indies. Wishing, however, to take the most moderate course, and that at the same time which was due to our own shipping and commerce, and understanding that the United States desired to investigate the question further, and he himself having had it last year in contemplation to propose to parliament a more comprehensive measure (such as that which he had now to suggest), in respect to the trade, generally, of our colonies, the British government did not sus-

pend the intercourse, but they adopted the milder proceeding he was about to mention. If the result should be that it would put the United States on the same footing only as all other countries, the United States would have no reason to complain. All which any other power could require of us at any time was, to be placed on the same footing as the most favoured nations. If, therefore, America should not choose to avail herself of this new system, all that could be said was, that he (Mr. Huskisson) believed the West Indies would now be able to do without her assistance; a circumstance, however, which he should regret, both from his friendly feeling for the state in question, and his love of the principles of free trade. If such should be the course which America might think it proper to adopt, under some erroneous impression that we could not do without her, and that she might therefore impose what conditions she pleased upon us, in favour of her own navigation, perhaps he might be allowed to ask whether the British government would be justified in withholding from other powers those privileges which they had so extended to America? Were we, or ought we to be, more jealous of allowing the ships of Denmark, or of Hamburg, or any other of the northern maritime states, to carry on this trade, than of allowing the ships of America to do so? He thought not. He thought that if Great Britain looked to those interests which she was most bound to cherish and protect, in justice to her maritime grandeur, and her commercial greatness—if she consulted her dearest distinctions,

tions, she must feel that she had at least as great a right to be just and liberal to other powers as to the growing commercial greatness of the United States. To him, therefore, it seemed that there could be no objection to confer upon the shipping of any European state in amity with us, and manifesting a disposition to reciprocate the benefits of commerce in their relations with us, the same privileges as to this colonial trade as had been permitted to America. But he would confess, that looking to those changes which had become so general all over the commercial world, he thought that parliament ought to go further. In his judgment, at least, he was prepared to state, that he thought they ought to place the trade with these colonies on the same footing as the trade of England and Scotland with Jersey, Guernsey, or Ireland (except, in truth, that some certain modifications would be necessary to be established, from the different circumstances of the countries). Certain prohibitions would also be necessary—such as ammunition, artillery, and other articles and stores of that description; and the protection that must be afforded by duties properly estimated to certain staples of the countries, such as sugar, rum, and other articles that the colonies supplied, and that were subject to various fiscal imposts. These prohibitions might be limited to the West India islands, and other colonies to be specified. With these exceptions, we ought to admit the ships of all friendly states to a free trade with all our colonial possessions, subject only to such regulations as would apply to them in their intercourse with any

other ports in the British empire, namely, that the cargo should belong to the same nation as the importing ship; and that the other usual regulations as to ownership, &c. should be complied with. The result of this regulation would be, to reduce all the direct commerce between the colonies and other countries, to the same principles that regulated the direct commerce between the colonies and the mother country; and all the circuitous commerce between the colonies and this country to the same simple rules that regulated what he had before called a coasting trade, if it could with propriety be so named. We should, in short, give every facility (consistent with the safety and the interests of the navigation of the empire) to a trade between our colonies and all the rest of the world. Of course it would be necessary, in order to effect those benefits, to enlarge greatly the list of articles which, under the existing acts, the colonies were at present permitted to import through any other channels than that of the mother country. It would be necessary to employ, for the purpose of protecting the staple commodities of the colonies, moderate protecting duties. In the present list annexed to the acts in question, certain rates and duties were imposed on some of those articles. In some cases there was an *ad valorem* duty of 7*l.* 10*s.* per cent. On those articles, however, that might seem most to require protection, he should propose to raise the *ad valorem* duty, in some cases to 15*l.* per cent.—in others to 20*l.*—and in others, even as high as 30*l.* The application of the increased duties

duties would, of course, be a subject for the decision of the colonial legislatures. This country would only subject the trade between the colonial ports and ports elsewhere to such duties; but the colonial legislatures, as heretofore, must adopt that mode of application which would seem most expedient to them. It was to the colonies that the benefit was meant to be extended; the increased duties would form a revenue which would be theirs, and would be carried to their account. They could have no jealousy, therefore, of the new system as one at all likely to in-trench on their privileges in those respects. With a view to encourage our own trade and that of the colonies with other countries, he should also propose to establish, in certain parts of those colonies where the operation of the system could be most advantageously applied, the whole benefit of the warehousing system, such as it now existed in this country; by allowing goods from all parts of the world to be bonded till convenient opportunities for exporting, or re-exporting with advantage might offer. Looking to the present state of Spanish America, this establishment must be attended with extraordinary advantages. The wants of those vast countries were enormous, and would require to be promptly supplied. A cargo from this country, however, at present, often glutted the market; it was very desirable, therefore, that warehousing ports should be established in the colonies; and the hon. gentleman instanced, as a striking exemplification of their value, the case of New Orleans, where the warehousing system had been introduced with extra-

ordinary advantage to the United States. He mentioned the establishment at New Orleans, not because it was an exclusive establishment, but because it was so conveniently situated for carrying on commerce with Mexico, and with other places on the gulf of that name. Having stated generally the nature of the proposition which he wished to submit to the committee, it appeared to him that the effect of it would be somewhat different with respect to the sugar colonies, and the British provinces of North America. In the sugar colonies he conceived that it would afford a greater facility and economy in their commercial intercourse, and that they would thereby stand a chance of supplying their wants more cheaply and on more advantageous terms than they could at present. They would stand, he thought, a much better chance of getting rid of their surplus production more beneficially for themselves, and more advantageously for the general interest of the empire. But those were not the only advantages he contemplated from this change of system. The amelioration of the colonies under this altered policy would not, perhaps, proceed very rapidly; but in the end he was sure it would produce very important benefits. In the sugar colonies a new description of inhabitants would probably spring up—a new description of commerce would be introduced—new houses of agency would be established—merchants would be found fixing themselves there, for the purpose of watching over their interests, and sending the produce of those islands all over the world. The system which he had explained would possibly

give birth not only to new varieties of commerce, but to a new description of industry with respect to agriculture. It was possible that those colonies might, under the liberty which would be extended to them by this change of system, launch forth into other and most important branches of industry—that they would be no longer confined to the cultivation of sugar. Why might they not raise silk?—why might they not cultivate indigo? Why should not the cultivation of a great variety of other articles find its way into those countries? It would be his duty to bring this subject before the house, and to recommend that some encouragement should be given to the cultivation of other articles—that other supplies, besides sugar, should be raised in those colonies. By pursuing this course, might they not hope to see infused into the population of the West-India islands, more industry and a greater spirit of enterprise than existed there at present? Was it unreasonable to suppose, that a population different from that of the overseers who now watched over the sugar-estates, would ultimately be created there? If they did this—and he thought it might be easily effected—then they would do much to secure the prosperity of those colonies, and to uphold the interests of that part of the empire, which they were bound, by all the ties of honour and duty, to protect in the most efficient manner. If he were asked to be more particular—if he were asked to state in what way this change would be effected—if he were called on to say in what progress of time those benefits would be realized, he must frankly own,

that it was not in his power to make such a precise statement, nor, indeed, was it in the power of any man to do so. He recollected individuals who were perfectly conversant in the affairs of the East Indies, who were perfectly acquainted with its commerce, could not, in 1813, hazard a statement as to the way in which the relaxation then proposed would affect the commerce of India, or the interests of this country. It was stated, generally, that this relaxation ought to be made; but the most sanguine did not attempt to point out what would be the political and commercial benefits which the projected change would confer on this country. It was merely contended that great benefits would arise to Great Britain if some of the restrictions by which the commerce of the East Indies was clogged were taken away. His view of the subject was this—that a plan which gave greater scope to the employment of capital—which gave a new impulse to industry, the operation of which produced new interests, must extend to the parent state which granted this additional scope, as well as the colonies themselves, very considerable benefits; and he had no doubt that the West India colonies would afford a further proof, in addition to that already afforded in the instances of Ireland, of America, and of the East Indies, of the great political and commercial maxim, that the free trade of a thriving country, carried on with a state possessing an extensive capital, was of infinitely more service than a trade carried on under a system of rigid monopoly, for the purpose of making the productions of the colony

colony exclusively beneficial to the parent state. It was certainly the case, that the wants of mankind were always increased in proportion as they found the means and opportunity of indulging their desires; and he saw no method so likely to increase those means and that opportunity, as allowing that free scope to capital and industry which he now proposed. If this were true with respect to the British West Indies—if it held good with respect to those colonies which he considered, in one sense, and without meaning any thing offensive, as mere sugar plantations—as plantations cultivating a particular production, which was admitted into this country for the benefit of owners residing here—in how much greater a degree would this system prove advantageous to the British provinces of North America? There the whole population was free—there, whatever course their industry took, it would be prosecuted for the advantage of those who were on the spot—there the population considered, and justly considered, the country as their own. Whatever means of exchange and barter they possessed with other countries was called into action to procure a fair and necessary supply of articles which their own country did not produce. Under all the circumstances, the situation of the British North American provinces was more favourable to a change of system than the state of the West India islands: and it was, he conceived, impossible not to hope that the greatest advantages would result, in the course of a few years, from the projected alteration. The present population of the British

1825.

North American provinces he estimated at 1,000,000 of inhabitants. With the fertility which distinguished many parts of their soil—with their noble forests—with their extensive fisheries—and with the facilities which they possessed for entering into foreign markets—it was impossible, if the boon of free trade were granted to them, that they should not feel, in consequence of that liberal treatment which would secure their wealth and prosperity, a very great desire to connect themselves more closely with this country. It was impossible, under such circumstances, that they could wish to unite themselves with any other state, or to shake off their connexion with Great Britain. They would not feel, with sentiments of jealousy and envy, the rapid growth of other states, in their immediate neighbourhood, and in other parts of America, because they would feel that a due regard was paid to their interests. The British American provinces possessed at present some advantages over their neighbours. The duties exacted from them were more moderate, and they had one very superior advantage—he meant the exclusive advantage of British shipping. They also possessed all the civil rights which the people of this country enjoyed. It was impossible not to feel that no motive could be adduced sufficiently strong to make them risk those advantages, in conjunction with others that would be conferred on them, by endeavouring to change their connexion. He therefore considered that with respect to these provinces, the alteration in the system would not only greatly conduce

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conduce to the mutual prosperity of both countries, in point of commerce, but that it would tend to cement and strengthen the connexion between them. It would bind them still closer in all those mutual ties of interest by which it was possible that colonies could be bound to the mother country; and it would secure, as far as human arrangements could effect that object, a perpetual connexion between them. Even if that connexion chanced to be unfortunately dissolved, that event would not be attended with that jealousy or regret which attended the separation of America from this country. He feared he had detained the committee too long; but he assured them that he felt these to be most important points. If they granted to the British North American provinces this indulgence—he was about to say boon; but in fact, the benefit would result to this country—those provinces would unquestionably flourish. Without it those countries could not keep up an equal competition with their neighbours and rivals, the United States of America. He could adduce many reasons which would show, that, with respect to the United States, they were placed in a disadvantageous situation in several points of view. But, perhaps, one example would prove, better than any series of argument, the consequences which would follow from this change of system, and the necessity that called for it. At the present moment, one of the most valuable products of the industry of the people of Nova Scotia was to be found in her fisheries. Her rivals were the neighbouring provinces of the United States. Now, he

would suppose a cargo of fish to be sent out from one of the ports of the United States, and another from Halifax. The terms up to this point were equal—so far the advantage on each side was the same. But let the committee go a little farther. He would suppose the cargo of the United States vessel to be carried to Brazil, and there exchanged for sugar, cotton, or any other production of that country. The captain might then proceed to the Baltic, and there he might exchange his Brazilian cargo for hemp, iron, sail-cloth, or various other productions, which he might either want for his own use, or, if he pleased, dispose of in any other quarter. If the British ship, with a cargo of fish, proceeded in the same manner to Brazil, there the cargo might be sold; but if the captain desired to take in a cargo of Brazilian produce for his own country, he could not do so. He could not carry sugar or any other production of the Brazils to Halifax, even for exportation. Could he go with a cargo to the Baltic? Yes, he might dispose of it at St. Petersburg. But could he take back the productions of Russia? No, he could not. This was the disadvantage which the British North American provinces laboured under, as compared with the United States. By this ill-considered policy a premium and bounty were given to the United States against the interests of the British North American provinces. The consequence was, that we lost this branch of commerce, as well as the carrying trade which was connected with the transportation of the fish. This was, he thought, a very good proof of the mischief which

which arose from these restrictions. They were, in effect, bounties on the trade of those countries that did not impose similar duties. Having stated generally the whole view which he took of this subject, it was now necessary for him to say a few words on the general principle of the alterations which he meant to propose. He would not detain the committee by stating the alterations which he contemplated in detail; they would be seen in the resolutions and in the bills, which would be subsequently introduced. But he felt it right to call the attention of the committee to one or two circumstances of the change which he deemed it farther necessary to propose. The committee was aware that the sugar of the Mauritius was at this moment admitted into Great Britain at a different rate of duty from that which was paid on West India sugar. The duty paid on the sugar of the Mauritius was 10s. over and above that paid by the other colonies. He, in the last year, entertained the project of placing Mauritius sugar on an equality with the sugar of the West India colonies. It was then stated as an objection to the plan, that the sugar growers in the Mauritius, though they had not a monopoly of the home market, as the West Indies had, still possessed considerable counter-vailing advantages. Such was the statement made at the time. But, considering the situation of the colony of the Mauritius—seeing that the cultivation of sugar there was carried on precisely in the same way as the cultivation of sugar in the West Indies, he could perceive no advantage which it enjoyed over the West India colonies. That colony was at a

much greater distance from the mother country than the West Indies. It was more subject to hurricanes, devastation, and loss of crop; and, taking the whole of the circumstances into consideration, he was of opinion, that when they were going to place all the colonies on a free and liberal foundation, they could not, in fairness and with a due regard to principle, refuse to the Mauritius the indulgence they extended to the West Indies. Therefore, though this subject was not contained in the resolution which he should have the honour of moving to-night, he wished in fairness to state, that it was in the contemplation of government, in the present session of parliament, to alter the duty on sugar grown in the Mauritius, and to place it on the same footing with the duty payable on West India sugar. Another point, to which he begged leave to advert, was one with respect to which he was sure the feelings of the committee would not fail to go along with him—he meant the great importance which this country ought to set on her North American colonies. These were not sugar colonies, nor did they produce articles similar to the productions of any tropical climate; but they were possessed of one article which assimilated with a very extensive production of this country—he alluded to corn. That was the staple of those colonies, which formed a part of the British empire, and which were as much entitled to protection as any other portion of it. That staple they had not actually prohibited, but they had loaded it with such heavy duties, as, for the last five or six years, had virtually amounted to a prohibition.

prohibition. Now, when he stated that the gréatest quantity of corn ever imported from Canada, had, he believed, been short of 50,000 quarters, he would suggest, when he was speaking to gentlemen who had seen the great advantages which had been derived from the free corn-trade granted to Ireland, that they ought not to deny to Canada something of a similar description. The great disadvantage which Canada laboured under was, the not knowing whether the ports of this country were open or shut. Corn might be deposited in our warehouses for five or six years; but, while it depended on a fraction, on a half-penny, or a penny, whether it would be admitted to come into the market, it was impossible that the Canadian farmers could know how to act—it was impossible for them to pay for the goods which were sent out to Canada from this country for their use. He thought that there could not be a well-founded feeling of jealousy or apprehension cherished on this subject by the British farmer. He would farther state, that the distance from which this corn was to be carried, and the greatness of the expense of freight, gave a very considerable advantage to the British farmer. The freight from Quebec to England was from 12s. to 14s. a ton, and there was a duty of 5s., which he conceived was a sufficient protection for the British corn-grower. Considering those heavy charges, he thought Canadian flour might be fairly admitted into the market; and therefore, on some other evening, he would point out the necessity for an alteration in the present law respecting the importation of

corn from Canada, so as to allow that trade to be free, and to enable the Canadian farmers to know what they had to trust to. He repeated that 12s. or 14s. freight, and 5s. duty, together with the limited supply of corn afforded by Canada, could leave no ground for apprehension in the minds of those who took even the most jealous and narrow view of the subject. There was yet one point to which he would now briefly advert. It was very desirable, when trade was thrown open, when it was rendered perfectly free, that those who engaged in it should have the full benefit of that free trade, unincumbered with those impositions and burdens by which even our own commerce with the colonies had been too long shackled. The hon. member for Coventry (Mr. Ellice) had called the attention of the house to the large fees that were collected in the West Indies. Those fees were applied to the payment of revenue officers, of naval officers, of governors, and other parties connected with the colonies. They were a grievous burden on the commerce of this country; and, when the West India islands come to be freed from those restraints, it would operate most inconveniently if the system were not altered. Therefore, measures would be arranged by his right hon. friend (the chancellor of the exchequer) and the treasury, for removing this evil; and he should propose that those fees should be abolished altogether. It would be proper that the revenue officers should be paid out of the duties to which he had already referred. That was the proper fund out of which the expense ought to be defrayed. There were

were several officers in those different colonies, at present drawing very large fees, whose services would no longer be wanted. In fact, they would be in the way of the new system, instead of facilitating it. At present there were many naval officers employed in watching over the trade; but when that trade was freed, there would be no longer any necessity for their services, as the revenue officers would be able in all respects to make such inspection as would be required in the same way as they proceeded in this country. Compensation would of course be made where the parties dismissed had any vested rights in those offices; and to others who had no such right, such remuneration would be made as the case might require. The facilities thus afforded for relieving the trade of the colonies from such a heavy burden, would give them a better chance for entering into a successful competition with the productions of other countries. He believed that he had now stated nearly all—indeed, he might say the whole of the alterations which it was his intention to bring under the consideration of the committee on the present occasion. He would now reserve himself until Friday next, when he trusted he should be able to state the alterations which he meant to propose in other parts of the system. He thanked the committee for their patient attention, and would conclude with moving a resolution, the effect of which was to recognize the propriety of amending the acts to which he had already referred. The right hon. gentleman then moved—"That it is the opinion of this committee that it

is expedient to amend several acts of the 3d and 4th of his present Majesty, relative to the British possessions in North America, the West Indies, and other parts of the world; and also as far as relates to the warehousing of goods."

Mr. C. R. Ellis said, as to the general plan of his right hon. friend, he must say that the restrictions which he sought to put down had long pressed on the interests of the West India colonies, perhaps more than that of any other part of the colonies of Great Britain. When those restrictions were first proposed, the effect of them was very different. At that time they did not press very hard on the colonies, who were then in full possession of the home market. Many alterations had, however, been since made, and as our colonial possessions had been much extended, it was impossible to continue the system of keeping the trade of those colonies entirely to ourselves. It therefore became necessary to alter the colonial code. Those bills to which his right hon. friend had alluded, and on which he meant to legislate, were in consequence introduced; the one allowing a direct trade in British ships from the colonies to Europe, and the other for facilitating the intercourse between the colonies and America. He expected much benefit from those measures, but in that he was disappointed. British merchants did not avail themselves of the permission to trade direct between the colonies and Europe; and the West India planters found it impossible to overcome the difficulties of their situation, and to divert an old established system of commerce into new channels.

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He believed that not a single ship load of colonial produce was sent to continental Europe. The reciprocity measure, with respect to America, was also inoperative. He hoped, however, in consequence of the opening of the trade now projected, that foreign powers would take their commodities to the West Indies, and exchange them there for the produce of the colonies. If this were once the case, he was sure it would rouse the energy of British merchants, who would not allow foreign merchants to keep the whole of the colonial trade with Europe to themselves. Neither did he think that the merchants of the United States would exclude themselves from those ports when they saw foreigners carrying on a beneficial trade. When those heavy charges to which his right hon. friend had alluded were removed—when the colonies were freed from such burdens, they would, he conceived, find a vent for that surplus produce, the accumulation of which had overwhelmed them. The plan, however, though good in principle, was limited. It was of necessity bounded by the principle of reciprocity. That principle of course confined it to those countries that would be disposed to adopt an equally liberal policy. Some of the states of Europe might, therefore, be excluded. They might be unwilling to alter their present colonial system. A very good commercial treaty had been negotiated, for instance, with Denmark: but at the foot of it was placed an intimation, that it did not extend to the colonial trade of that country. His right hon. friend's scheme was also connected with certain protecting du-

ties. What the effect of them would be he could not say, but that must depend on their correct application to particular articles. After the experience this country had had of the effect produced by protecting duties, with reference to the produce of Canada, and in checking the intercourse with the United States of America, he trusted his right hon. friend would not be altogether so sanguine in the success of the present measure. He should be sorry to say any thing ungracious on this occasion; he would not make any objections to the alteration proposed by his right hon. friend, which was unobjectionable in principle, and which, he was sure, was intended to do good. He would much rather look at the other side of the picture. With respect to the West India islands, their geographical situation adapted them peculiarly for a convenient *entrepôt* for all our manufactures. Vessels often proceeded to those islands from England almost in ballast, which, under the new system, need no longer be the case. Commerce, it was well known, would attract around it every species of industry; and this beneficial alteration in the colonial code might be the means of creating a white population, and of extending cultivation to many other articles besides those now produced in the West Indies. The tranquillity and prosperity of the colonies would thus be secured; and he certainly felt, that in no other way could they so successfully accelerate the change in the slave population which that house had delegated to the government the task of carrying into effect, as by giving a fresh impulse and energy to

to commerce and cultivation in the colonies. His right hon. friend's paternal affection for this measure could not inspire him with greater anxiety for its success, than was felt by him (Mr. Ellis); and he hoped the name of his right hon. friend would hereafter be connected with a new and favourable era in the history of these colonies.

Mr. Baring said, he could not suffer so important a subject to pass without expressing his gratification at almost every thing that had been stated by the right hon. gent. He thought the measure he proposed would be productive of great good, as well to the colonies as to the mother country. There was always this advantage in broad and liberal views of commerce—that they tended to serve all the parties concerned. There were portions of the statement of the right hon. gent. which could not be exactly understood, until gentlemen saw the resolutions and the bills that would be founded on them. What he did see, and what he highly approved of, was, the general spirit of liberality that pervaded the whole system. He conceived that, from its adoption, the colonies would derive great benefit. It was at length found, that no nation could gain by keeping down and impoverishing her colonies. It was by making them prosperous and wealthy, that the interest of the parent state was sure to be supported. With respect to the North American colonies, this measure might be called an act of emancipation; for it did emancipate them for every good and beneficial purpose. Whatever remained peculiar in their situation, would be

privileges, and not restrictions. It was impossible that colonies, which were growing more important every day, could exist under the present system of things. If there were no other inducement, the principle of self-preservation called on them to extend the very limited system which now prevailed; and he thought that nothing could effect this desirable object more completely, than the measures of the right hon. gent. It was doing an act of justice, of sound policy, and, he would add, an act strictly conformable with the commercial interests of the country. Some of these measures might, perhaps, find opponents. The question of corn would excite the country gentlemen; any privilege extended to colonial shipping would alarm the ship-owners here; and the same thing might be said of the manufacturing and other interests. But, looking at the proposition as a whole, viewing it with that liberal feeling which it deserved, he was quite sure, that the more it was considered, the more satisfaction it would give. He was one of those who would not willingly injure the West India interest; but he thought that, when the hon. gent. (Mr. Ellis) expressed a belief that the introduction of sugar from the Mauritius would do mischief to the West India planters, he was in error. He saw no reason for excluding the Mauritius from the operation of the right hon. gentleman's system. It was a colony belonging to this country; the cultivation of sugar was carried on as it was in the West Indies, and the cultivators at the Mauritius had a right to claim the boon on the same grounds that it

it was extended to other colonies. Besides, the sugar raised there was inconsiderable in quantity. He was extremely anxious to see the further development of the right hon. gentleman's plan with respect to the proposed alterations as to the European part of the system, and particularly that which related to the importation of corn. He did not wish to see the protection which it had been found necessary to afford to the agricultural interests reduced below that which they had enjoyed before the present restrictive measures were adopted; although it must ever be a matter of regret to all persons who were well acquainted with the subject, that any such protection had been granted. Still he should be sorry to take away, on any principles of political economy, however he might be convinced of their soundness, that protection which had now been so long enjoyed, and had grown to be so much a part of the system, that the persons interested in it would have a fair right to claim its continuance. In the alteration which had been announced by the right hon. gent., it was not, he apprehended, at all probable that any large quantity of corn could be imported into this country from Canada. The great distance which intervened, the charges of freight, and other losses which must necessarily attach to that importation, would, together with the duty of five shillings, which it was proposed to continue, be sufficient to prevent the influx of Canadian corn to any extent that could injure the English agriculturist. But it would be necessary—and he threw out this suggestion for the consideration of the right hon.

gentleman—to provide against the possibility of any large masses of corn coming from other parts of the American continent, through Canada. The river St. Lawrence, which, in its extent and its branches, comprehended the greatest extent of inland navigation perhaps in the whole world, extended to New York on one side, and, by means of the communication which was now about making, to the Mississippi on the other. Facilities would thus be afforded for evading the spirit of the right hon. gentleman's proposed regulation, while its letter would be complied with. There was another point connected with this part of the subject, on which he wished for some information from the right hon. gentleman. He was desirous of knowing whether it was his intention to propose any regulation respecting an union between Upper and Lower Canada, or otherwise to equalize the duties of those two provinces. From their natural situation, all the import and export trade must be carried on through Lower Canada: the people of Upper Canada were therefore at their mercy, and must pay any duty which they chose to put upon the importation of goods. A measure had been proposed last year, but it was afterwards given up. He agreed with the reasons for which that proceeding had been adopted, because he thought it would at least be highly indiscreet to take so important a measure without communication with the districts for which it was to legislate. It was, however, desirable, and in consequence of the proposed arrangement it became more so than ever, that some regulations should be made

as to the share of revenue which was to be received by each of those districts, or they should be united. He was sure this would not escape the attention of the right hon. gentleman. He rejoiced in the opportunity he had had of expressing the satisfaction he experienced from the details of the right hon. gentleman's plans, which he had no doubt would be as beneficial to the country as they were in themselves enlightened and liberal.

Dr. Lushington was perfectly ready to agree that very great advantages were likely to result from the measures which had been proposed by the house, as well to the colonies as to the mother country. Now, however, that the restrictions which had been found to be injurious and unjust were to be taken off, and the Mauritius was to be placed on a footing with the now favoured West India islands, he would ask upon what principle it was to be contended, that the same advantages should not also be enjoyed by the East Indies? There could be no reason why they should not enjoy, in their fullest extent, all the benefits which were to be derived from the liberal system which the government, it seemed, had now resolved to adopt. He said this, not, as it might be pretended, from a wicked intent to reduce the West Indies, but upon the obvious and undoubted principles of political economy. What, he asked, could be more just than that the industrious and valuable population of the East Indies should be put into possession of the same liberty as was enjoyed by all the other colonies of Great Britain? When he and those who

thought with him on this subject expressed in that house their desire to alleviate the wretched condition of the slaves in the West Indies, it was said that the measures which they proposed would have the effect of increasing the distress which was already too burdensome upon the proprietors of this country. He was, however, inclined to believe that the distress of those proprietors was chiefly to be attributed to their residence in this country; and that the misery of their slaves was another consequence of the same cause. These absenteees cultivated their West Indian estates by means of agents, whom they bribed with large salaries to manage their property. The agents were actuated solely by the desire to procure large crops for the immediate benefit of the proprietor, without any regard to the ultimate condition of the estate. The difference between the condition of slaves on the estates of resident proprietors, and those who were under the control of their agents, was a sufficient proof of the truth of this statement. There was one point of view in which the consequence of the proposed measure had not, perhaps, been sufficiently considered. In the event of a war at any future time, the vessels of neutrals would be allowed to carry freights between the colonies and the mother country. This appeared to him to be a great blessing. In the first place, it would alleviate the miseries of war; and in the next, it would remove the imputation so commonly cast upon England by America and other nations, of being actuated by a desire to keep to herself the exclusive benefit of conveying

conveying merchandise. The main intention of the measure, however, if he comprehended it rightly, was to ensure a valuable monopoly to the West Indies, and to admit all sugars upon paying a duty of 27s. per cwt. from all colonies having a slave population. The Mauritius, the only colony in which the detestable traffic in slaves had been continued—he said this to the credit of the West India islands—was to be included. Now that there should be any distinction made between these colonies and the East Indies, he held to be rank injustice. Whenever any attempt was made to improve the condition of the unfortunate beings who formed the population of the former colonies, it was invariably opposed by those gentlemen in the house who were connected with the West Indies, and who did not scruple to assign motives to those by whom such attempts were made, which, to say the least of them, were wholly unfounded. (*"Hear, hear," from Mr. Gordon.*) His hon. friend, who so loudly cried "hear," on a former occasion when this subject had been brought before the house, got up with so much vehemence, that he seemed ready to devour all who were near him. He did this, because, being himself a large West India proprietor, he could not endure to bear any thing which even seemed to interfere with the state of things in the colonies, and to alleviate the sufferings of the slave population. He could not help doubting the judgment, although he could not suspect the heart of his hon. friend (nor that of any other hon. gent.) when he found him opposing a measure which was calcu-

lated to do away with an immense mass of evil which disgraced our West India colonies. For his own part, and for those who thought with him on this subject, he repudiated with disgust and indignation the imputation that they were actuated by any feeling of hostility towards the West India proprietors. On the contrary, he thought they were entitled to the benefit which was about to be conferred upon them, and he hoped it would be as useful and as advantageous to them as it was expected to be. Notwithstanding the contumely with which they had treated the British parliament, he hoped that the spirit of animosity by which they seemed to be influenced would subside—that they would listen with a patient ear to the admonitions of the legislature, and not drive it to the adoption of those measures which were called for upon every principle of justice.

Mr. Gordon rose for the purpose of replying to the observations of the honourable and learned gentleman—observations which the usage of parliament hardly justified him in using towards him. He did not know to what particular occasion the honourable and learned gentleman alluded, but in his own name and in that of all the other West India proprietors in that house, he threw back the assertion that they had endeavoured, by their influence in parliament, or elsewhere, to interpose any obstacle to the amelioration of the condition of the slave population of the colonies. It was very easy for a person like the honourable and learned gentleman, who was in the constant habit of addressing public assemblies,

blies, to throw out insinuations against him and other honourable gentlemen who might find it difficult to reply with equal fluency to a charge so unjustly made. He had, however, felt it due to himself to seize the first opportunity of denying altogether the truth of that charge, and of vindicating himself from the imputation which had been cast upon him. The honourable member went on to say, that he approved of the proposition of the right honourable gentleman, and particularly of his intention to introduce the warehousing system into the colonies.

On the motion of Mr. Peel, the house resolved itself into a committee of the whole house, to take into consideration the subject of the salaries of the police-magistrates of the metropolis.

Mr. Peel requested the attention of the committee to the subject upon which he proposed to address them—namely, the pecuniary allowance which the police-magistrates of the metropolis received for their services. It was his intention to propose that those individuals should receive an addition to the salary they at present received, which he trusted would not be considered at all unreasonable. He held in his hand papers, from which, if he chose to enter into any detail, he could prove, to the satisfaction of the committee, that since the institution of police-magistrates, the business which devolved upon those individuals, had, owing to various acts of parliament which had been passed, independently of the increase of population, greatly augmented. Although that circumstance would of itself be a sufficient reason for

increasing the salary of the magistrates, he rested his proposition upon grounds which he hoped the committee would consider even more satisfactory. When the police-magistrates were first appointed, it was the practice to select individuals to fill the office, who, he must say, were utterly incompetent to discharge the duties which devolved upon them. He found, from the papers which had been laid upon the table, that out of 12 police-magistrates appointed at a former period, there were only three barristers; the rest were composed of a major in the army, a starch-maker, three clergymen, a Glasgow trader, and other persons who, from their previous occupations, could not but be considered as utterly unqualified to perform the duties of magistrates. The law had fixed no limitation with respect to the previous education of persons appointed to the office of magistrate; but he thought the committee would be pleased to hear that a limitation on that point had been prescribed by the secretary of state. Neither his predecessor in office (Lord Sidmouth) nor himself had ever appointed a person to fill the office of magistrate who had not been a barrister of three years' standing. That was a rule to which, in his opinion, it was most desirable to adhere. But in order to enable the secretary of state to abide by that rule, and to carry it into practice, it was necessary to augment the present salary of police-magistrates. He implored the house to consider whether £80*l.* a year (the present salary) was sufficient to induce a barrister to give up the emoluments of private practice and the hope of preferment in his profession, to undertake

undertake the duties of a magistrate, which required his almost constant attendance. It could not, he thought, be considered an unreasonable proposition, that in future the secretary of state should be empowered to give to each police-magistrate the sum of 800*l.* per annum. He hoped that he should not be told that individuals might be found, who would be willing to undertake the magisterial duties for a less sum. It was very true that such was the case. He was constantly receiving applications from persons who were anxious to be appointed police-magistrates. Those applications proceeded principally from country magistrates who had discharged the duties of their offices ably and satisfactorily; but whom, nevertheless, he did not think it right to appoint to be police-magistrates in the metropolis. He held the unpaid magistracy in as high respect as any man, but he could easily conceive that a gentleman might, in consequence of the influence which he derived from local circumstance—the relations of landlord and tenant, for instance—be able to discharge the duties of a country magistrate in a satisfactory manner, who would be incompetent to undertake the very important ones of a police-magistrate. "Police-magistrates" was the name generally given to the magistrates to whom he alluded, but those persons were mistaken who supposed that the duties which they had to perform were merely executive. They were called upon to administer the law in a great number of complicated cases which were submitted to them. Out of some recent acts of parliament some very important

questions arose, which the police-magistrates were called upon to decide. Several nice cases had occurred under the building acts. He knew one case of that description which had occupied the attention of the magistrates for a couple of days, during which surveyors were examined on both sides. He thought that a salary of 800*l.* a year was not more than a fair remuneration for the practice which a barrister must abandon when he undertook the duties of a magistrate. It appeared to him that the individuals appointed to administer justice in this country were more parsimoniously dealt with than in almost any other country in the world. He thought this was poor economy to give an inadequate remuneration to individuals selected to administer justice, whether in the highest office of judge, or in the less important but still very important office of police-magistrate. He might, he did not doubt, get persons—those who could not succeed in their profession, the refuse of the bar—to fill the office of police-magistrate, at a lower salary than he proposed to give; he could save 100*l.* or 200*l.* a year by such a proceeding, but the public would have cause to lament it. The present police-magistrates were of the highest personal respectability, and performed their duties to the satisfaction of the country. They were 30 in number, only four of whom were not barristers. The right honourable gentleman concluded with moving, "that it is the opinion of the committee that each justice appointed, or to be appointed, under the act for the more effectual administration of the office of justice of the peace, shall receive a yearly

a yearly salary not exceeding 800*l*."

Mr. Hume did not think that 800*l*. per annum was too much for a magistrate to receive, but he was of opinion that the present number of magistrates might be reduced. He understood that each magistrate attended to his duties only for a very limited time during the day.

Mr. Peel said that the question of the propriety of reducing the number of magistrates had been considered in a committee which was appointed at his suggestion two sessions since to inquire into the state of the police of the metropolis. In 1792, London was divided into nine districts, to each of which three magistrates were appointed. Notwithstanding the great increase of population, and the consequent augmentation of business, no addition had been made to that number except by the appointment of magistrates to the Thames police, a most useful institution. A great part of the business transacted in the police-offices was done in the presence of two magistrates. He thought that a good arrangement, as one magistrate acted as a check on the other. This being the case, it was necessary to have a third magistrate attached to each office to provide for the relaxation of the other two. He could assure the house that the periods of relaxation were very short. The office was open from ten in the morning till eight in the evening; and during that time the magistrates were compelled to be in constant attendance. The jurisdiction of the magistrates of Union-hall extended over a district containing not less than 243,000 inhabitants. In one month, July, 1823,

not less than 176 cases of assault came before the magistrates of that office; and in July, 1824, the number of assault cases was 150. This was independent of all other cases. It was evident, under these circumstances, that the number of magistrates could not be reduced without great inconvenience to the public, and prejudice to the administration of justice. That, at least, was the opinion which the committee, to which he had alluded, came to on the subject.

The resolution was agreed to; the house resumed, and the report was brought up and received.—Adjourned at one o'clock.

House of Commons, March 24.—*Mr. Huskisson* moved for leave to bring in a bill to make farther provision for the payment of the crews of his Majesty's ships. Among the inconveniences which the present system of payment entailed upon the service, the following was not the least:—If a squadron, at Yarmouth, were ordered to the North Sea, and the exigency of the case required it to be sent off instantly, it would be necessary to send it round to the Nore to be paid, as there was no commissioner at any nearer port to superintend the payment. Now it was a much less operose ceremony to send the commissioner to the fleet, than the fleet to the commissioner. One of the objects of his bill was to provide for the better payment of his Majesty's ships in those ports where no commissioner resided. It would enable the commissioners to go to those ports, or in their absence would appoint another officer to superintend the payment. He should not enter into further detail at that moment, but would

móve for leave to bring in such a bill as he had given notice of.

Mr. Hume could not see any reason why the pursers in the navy should not pay the crews of his Majesty's ships, just as paymasters in the army paid the men of their different regiments. Such a system would obviate at once many of the inconveniences which now pressed most heavily upon the service.

Sir George Cockburn said he would give his reasons briefly to the house, why he could not consent to put the navy on the same footing as the army in regard to wages paid them abroad. The seamen, under the present regulations, were induced to make over a portion of their pay for the maintenance of their families, to which the measure proposed would, if extended to them, make them much less inclined. He was the last man to say any thing hard of the navy; but they were men of a peculiar character. Only let the house imagine a ship's crew on a foreign station, full of money, with sufficient opportunities of going ashore, which the captain could scarcely refuse them. They would spend it all, and when they reached England they would have nothing to comfort themselves with. At present they always had something left, by which they were able to go home and see their relations. This circumstance alone induced men to enter the service. He prayed the house to consider that considerable alterations had lately been attempted to improve the condition of the seamen, which had very much increased their comfort and accommodation. They had, in fact, turned the tables upon the merchantmen; for if the latter

did not give better wages, they might depend upon it the king would have all the seamen, whenever the interests of the state might happen to want them. Much had been said about abolishing harsh punishments. The new regulations would do more, they would render those punishments unnecessary. The most severe punishment at present was to turn offenders out of the service.

Leave was then granted to bring in the bill.

Mr. Peel said, that the intent of his motion was to obtain leave to bring in two bills to amend certain points in the criminal law, and he would take this opportunity of stating the objects of both. The first regarded the law for sending threatening letters, which imported a charge of attempting to commit abominable offences. An illegal threat to charge any individual with an unnatural offence was punishable with transportation for life. But if, instead of the crime itself, the charge should be limited to an attempt to commit that crime, it was only misdemeanour. The moral offence, and the danger to the individual wrongly accused, were precisely the same, and there could be no reason for keeping any offence of that nature out of the statute. The other bill was to facilitate culprits in obtaining the benefit of the royal mercy on grants of pardon being made to them. At present they must pass the great seal—a proceeding of considerable expense and delay—before the pardoned persons could be restored to what the law termed their credit and capacities. Nothing could show the difficulties more than the fact that a very few were enabled to obtain the full benefit

benefit intended by the crown in the grant of a free pardon. And until the grant had passed the great seal, their testimony could not be received in a court of justice, however necessary to the cause in action. The bill would therefore have the effect of restoring parties to their full privileges as free subjects, upon a pardon being extended to them bearing the sign-manual, countersigned by the secretary of state, to all intents and purposes as if the same pardon had passed the great seal. The same principle would be applied to conditional pardons—such, for example, as where a party convicted of a capital felony had his sentence commuted to imprisonment for a few months. It was intended to give him, as soon as the conditions of the pardon were fulfilled, a full restoration to all his rights as a subject. In both cases the credit of the parties would be restored, and the great fees now leviable for assuring a full pardon, which of themselves deprived many thousands of the benefit of that solemn sanction, would be spared. He took the opportunity of noticing a considerable omission in the law with respect to clergyable offences, and the alterations of the law in regard to their punishment. The punishment of death to those who successfully pleaded their clergy, was formerly branding on the left thumb. This was not considered open enough to common observation, and the left cheek close to the nose was substituted. This punishment becoming incompatible with the enlightened state of the age, power was given to the judges to impose a slight pecuniary fine or other

punishment, according to their discretion: but the law which authorized this alteration did not give that complete restoration which was before attainable by parties so impleaded and punished. By this bill, compliance, or in other words, the fulfilment of the punishment, whether fine or whipping, or imprisonment, would restore the parties to their civil rights. The application of the principle was the same with regard to females, the whipping of whom had been prohibited by a statute; which, however, did not effectually restore them after suffering the punishment substituted. The offences of clergymen or clerks in orders formed an anomaly in the law. A clergyman for highway-robbery might be hanged; if he committed a misdemeanour, he might be transported; if a clergyable offence, he could not be punished at all. For his own part, he thought that the ground of distinction, if ever it had been good in policy, had long ceased to be so, and should have been done away. It was an obsolete principle, totally at variance with the present state of society; and, much as he inclined to support the proper privileges of the clergy, he could not uphold them in this instance. The bill would put the offences of clerks in orders upon the same footing with other offenders. These were the main objects of the bills, to the investigation of which he invited the attention of the house, being ready to give his earnest consideration to any suggestion for the improvement of this or any other part of the criminal law.

Mr. Bright asked some questions as to the retrospective effect in

in cases of imperfect pardon both at home and in the colonies.

Mr. Peel said, that in all cases a pardon under the sign-manual would operate as a full pardon.

Mr. Lockhart adverted to another anomaly in clergyable offences—that a party successful in praying his clergy, could avail himself of that benefit so as to prevent his prosecution for all clergyable offences committed previously. That opinion had been sanctioned by one of the judges, in a recent case tried in Essex.

Mr. S. Rice advised the extension of these ameliorations in the criminal law to Ireland, as freely as former governments had extended the severities of the English code. For example, the statute of Henry VIII., which made words treason, was extended to Ireland. It was repealed for England by 2 Philip and Mary, but not for Ireland. The honourable member for Knarborough introduced several bills, which had passed, for ameliorating the code; but they were not extended to Ireland, though the parliament had been entreated to do so.

Mr. Bernal, understanding that the right honourable gentleman was about to introduce a bill for regulating the police-offices, took the opportunity of adverting to a circumstance which gave much public disgust without any corresponding benefit. He alluded to the practice of parading numbers of offenders chained together between the police-offices and the gaols to which they were to be committed. Some of the magistrates had laudably undertaken to wave that loathsome ceremony, and to send the culprits in hackney-coaches. He would suggest

the advantage of a strong close caravan, to be kept for that purpose.

Mr. Peel said, that one caravan would not be enough. The offices were so far asunder, that they would each require one, and the expense would be too great. The subject had engaged his attention, and he had expressly encouraged the magistrates to order hackney-coaches.

Mr. Hume rose to move for the copy of the despatch of Marquis Hastings, of the year 1819, respecting the organization of the Indian army. He began by observing, that nothing was more desirable in regard to the government of India, than that it should be well managed on one side; and on the other, that the government there should not be annoyed or disturbed by any improper interference from the parliament, or any other body at home. He deprecated the origin of the late war in India as highly dangerous to the British possessions: once commenced, a common feeling of security demanded that it should be carried through successfully. He admitted that there had been a succession of wise and able governments, and he had hoped that under the Marquis of Hastings, who had shown himself one of the persons best qualified for the station, that the prosperity of those possessions would have reached the highest pitch. He had expected that the liberal system of European politics penetrating these distant provinces, would have removed the shackles and restrictions which kept in the energies and resources of that country. He entreated the house to weigh well the effect of good or bad government

ment upon that large and fruitful territory,—to consider its extent and resources, and to reflect upon the powers by which it was held in obedience to the British. A military force, which comprised only 22,000 Europeans, held an extent of country reaching from the utmost Indus to the Burmese country—from the mountains of Thibet to the southernmost point of Asia. The population of this immense tract, amounting to 80 or 90 millions or more, had settled down in peace with us. The offices of government were ably filled—the civil servants in good understanding with each other. This state of things continued while the Marquis of Hastings remained in India as governor-general, and for some time after his departure. The case was very different as soon as Lord Amherst was sent out. He did not blame Lord Amherst for going, but he blamed those who sent him. Nobody who knew any thing about the government of India, or was at all connected with that country, could lay his hand upon his heart and conscientiously declare that he thought Lord Amherst a proper or a competent man for such a situation as he held, however amiable his lordship's private character might be—a point which he (Mr. Hume) readily conceded to the hon. gentlemen opposite. He did not deny that in a time of peace, with the assistance of an able council, Lord Amherst might be competent, possibly, to discharge the duties of his high station; but he did contend that in a time of war, when numerous and skilful enemies were attacking our frontiers, he was a very improper person for such a post. A
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period of little more than two years had sufficed to verify the fears of many who conceived that Lord Amherst ought never to have been sent out in such an arduous capacity. Under his government, the country had been plunged into a war which could not now be closed with any advantage to the interests of the East India company. For the sake of the argument, however, he would admit to the right hon. gent. (Mr. Wynn) that the Burmese war, under the circumstances, was a just and proper war, and an event that was not to be adverted. But he now came to another question, and that was—how a war of this kind, having been commenced, ought to have been carried on and continued? The hon. gent. (after condemning the declaration of the Burmese war, as an unnecessarily rash and precipitate measure, even if the government had, on more reflection, found it necessary to take a similar step) maintained that it was impossible for any competent judge to sanction for one moment the conduct which had been pursued throughout the prosecution of that business by Lord Amherst. Every body must be aware that India had its periodical rainy seasons; during the prevalence of which no military operations could, with propriety, be commenced. This was a fact upon which he was not speaking theoretically merely, but from his own practical experience. He had himself been out in the wet season, and in camp, in India; and he knew well the disastrous effects which service at such times produced upon European constitutions. Would not the house be astonished to learn, however, that
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since the commencement of the Burmese campaign, in a wet season, out of an European force of 10,000 men, more than 1,500 remained unavailable? It had been the invariable rule of all former governors-general to undertake no war during such seasons. Now, seeing that Lord Amherst was vested with such powers, that he could act in the matter without any control from other quarters, and that having undertaken the Burmese war, he had chosen to despatch the troops to Rangoon during the wet season; no man, surely, could stand up to defend Lord Amherst's conduct at so critical a juncture. Our troops, as British troops, on whatever service they might be engaged, always would do, had made repeated attempts to bring the main force of the enemy into action: but in these attempts they had been unsuccessful. The consequence of these delays, the weather, and their fatigues, had been a mortality among them, so dreadful in its amount, that he (Mr. Hume) was almost afraid to state what he had heard upon that subject. Unhappily, no certain public information was now officially communicated in such cases by the government in India; and the press in that country not being allowed to speak out on political news of this kind, people in this country could only resort to the medium—possibly a perverted one—of private letters. If he might speak upon such authority as that—if he might speak from letters written by parties actually on the spot—he (Mr. Hume) should state to the house, that on the part of the Europeans we had lost by disease and casualties from 800 to

1,000 out of 10,000 men. Taking the lowest average, however, the mortality arising from these causes, and from the diseases to which persons not accustomed to such fatal seasons must inevitably be exposed during such a state of operations, had certainly been of the most alarming and extensive character. The general result of the campaign had been this—that we had received a variety of checks, which had excited a degree of alarm all over Hindoostan, such as had scarcely ever been before excited throughout our empire there. It had never been heard of before, that the Bengal native troops would refuse to march, when a service of danger and importance called for their services. In his time no such incident had ever happened, unless, indeed, he were to except a slight mutiny that occurred among these troops in the year 1795, in the new appointment of some commandants of corps—appointments which had never since been renewed. To the honour of the native troops, instances of insubordination were very rare among them. The native army at present stood on very ticklish ground. A severe example had been made of the mutineers among them; and, indeed, it was felt by those who were best acquainted with the whole subject, that that example had been much more severe than it ought to have been. He (Mr. Hume) was at a loss to know what was the original and immediate cause of the mutiny at Barrackpore—whether it was some misunderstanding of the orders of the governor-general, or deficiency of such orders, or some difficulty in executing them, occasioned by the
Burmese

Burmese war. When he hinted at the severity of the punishment that ensued, he would not for one moment defend the recourse of the parties to arms. However grievous or just, even, their complaints might have been, there could be no doubt that the welfare of India required the immediate suppression of their mutiny. After its suppression, the government might have had time to consider the matter maturely, and inquire into its detail with calmness; and had there been a governor-general of talent, and a competent council to advise him, he (Mr. Hume) thought the matter would have taken a very different course from that which it had taken. Was it possible that in any country—but in India of all others—any government could, under circumstances of so unfortunate a description, resort to a measure of extraordinary severity, that should condemn the innocent with the guilty? For his own part, he did not know of any instance in the annals of military punishment, that could furnish a parallel to the punishment which was inflicted on the 47th Native regiment. When the three officers who were deputed to undertake that difficult duty had exhausted every effort to repress the mutiny of the corps, and to induce them to return to their duty, they called upon all those who still held, and were true, to the government and the company, to separate themselves from the mutineers. Every commissioned and non-commissioned officer in the regiment left the ranks, and returned with the three persons composing the deputation. He had already said that he thought the punishment of the

mutineers was too severe; but would it be believed, (although such was the statement published in the Calcutta Gazette that he held in his hands), that the governor-general issued a proclamation in which he stated that it was impossible the mutiny could have taken place without the privity of the commissioned and non-commissioned officers of the regiment; and that therefore, as being no longer worthy to serve in the armies of the government, they were dismissed from the service with infamy? Such was the treatment of these gallant men, whose fidelity, instead of punishment, should have been rewarded, honoured, and remembered. It was after their dismissal—as if blunder was to be heaped upon blunder by the government of Lord Amherst—that a court of inquiry was to be instituted, into the conduct of these officers—that was, after they had been thus punished and degraded. If he was rightly informed, the despatch to the court of directors, announcing the intelligence of the mutiny, concluded by stating, that if it should appear in the course of the inquiry, that the conduct of the native officers was justified, they could be reinstated in their rank. This was the way in which atonement was to be made to them for their dismissal, and the manner of that dismissal. He called upon every gentleman who had lately received letters from any of the presidencies, to come forward and declare whether people in all parts of India were not agreed that Lord Amherst was the most unfit and the most incompetent man for his high office that could have been selected. It had be-

come an act of duty on the part of the house to inquire whether the government at home had or had not yet taken any measures to remedy the evils of this nobleman's appointment. (*"Hear," from Mr. Wynn.*) He was glad to hear that cheer from the right hon. gent.; for when all official information on such matters was so studiously concealed from the public in India—when facts of this grave nature only now and then crept out, as it were, it was no wonder that some cases were magnified, and others diminished, through the uncertain reflection of private accounts. No persons, in England, therefore, could be justly blamed for being but erroneously informed on such topics. Speaking to the best of his own knowledge, he must say that the discontents which took place at the moving the troops from Calcutta to the south-east part of the frontier—the grumbling of the army, in short, might have sufficiently informed the governor-general of the necessities of the army, and might have taught him the duty of relieving them, especially as they had loudly preferred their complaints for three weeks previously. Formerly, when the native troops passed our Indian frontier, they were paid double full batta; but that allowance had been subsequently reduced, and pared down, and confined, first to Lucknow—then to Cawnpore—then to Benares, and so on, until this allowance to the native, and even the European troops, was reduced closely to that point which was equivalent to the provision of mere and absolute necessities. Perhaps the house was aware, that in order to enable the sepoy to

move their baggage and their families with facility, they used to be accommodated with the necessary cattle on easy terms. They had some bullocks and some coolies for this purpose; the fact being, that for every single soldier in an Indian army there were on an average about ten followers, which, indeed, were in some sort necessary: it being impossible in that hot climate for sepoy or any other troops to carry behind them the same quantity of baggage on a march, that soldiers carried in other countries. When the troops were ordered to move from Barrackpore, upon the south-east frontier, dividing Hindoostan from the Burman empire, the government at Calcutta were apprized of the wants of the sepoy, in respect to these necessary and accustomed accommodations. But government had purchased up every sort of carriage previously; and if even, as it was said, the sepoy regiments had each of them 5,000 rupees for the purchase of these articles, there were in fact hardly any to be purchased. (*"Hear," from Mr. Wynn.*) So little did the right honourable gentleman know about India, that he (Mr. Hume) was willing to rest the whole of his case upon the fact that no carriages were to be had, even for money, without the assistance and influence of the English civilians in India; and for the truth of this statement he would appeal to several military and civil gentlemen who were cognizant of the fact, having been themselves in India. Nothing could be a more grievous inconvenience to the Sepoy, than the deprivation of such assistance and accommodation. Formerly the commander of marching

ing troops used to send to the kutwahl or head man of the village for coolies and bullocks; but this practice having been found to be productive, occasionally, of great oppression and injustice, the system was very properly altered and placed on its present footing, by which the agents of government provided those means of transport. The neglect, on Lord Amherst's part, to secure such a provision, was another argument to show his entire ignorance of the wants of an Indian army. He (Mr. Hume) recollected that at the time of the Mahratta war, so different a feeling pervaded the native troops, from that which had been manifested on the unhappy occasion in question, that for every vacancy in the forces, they had at least fifty candidates among the native officers, when it was not then thought necessary to incite, as he was sorry to perceive had been the case under Lord Amherst's government, by promises and rewards. There was then nothing like desertion heard of, but on every side the greatest eagerness to serve was testified. It was urged, in mitigation of the severe example which had been lately made, that only eleven out of sixty mutineers were hung: but were the house aware of the effect that so ignominious a punishment was likely to produce on the native troops? The Bengal infantry was composed principally of Bramins of a high caste—men of as high and delicate a sense of honour as ever composed the ranks of any army in any country. The hon. gentleman then alluded to the exposure of bramin sepoys in chains, upon the public roads, as another punishment calculated to have a worse effect on the feel-

ings of the native population than any other that could by possibility have been devised. In 1814 and 1815, the court of directors having determined to re-organize, in a great degree, the regulations and allowances of the army in India, instructions were sent out to the Marquis of Hastings, directing him to remodel them in various ways. The marquis, with that attention which he ever showed, to the comfort of the soldiers, did not feel himself warranted in carrying those orders into effect; but to show to the company at home that they were proceeding in error, he appointed a committee, composed of military officers and civilians (at the head of whom was Mr. Adam), directing them to inquire into, and report to him upon, every office that it was proposed to alter, and every allowance that was to be regulated anew. After receiving all the various reports in 1816-1817, Lord Hastings drew up that important document which he (Mr. Hume) was so anxious to see laid on the table of that house, and despatched it to England. His lordship therein first stated his own opinion on the subject of the court of directors' instructions to him; and he then availed himself of the best opinions that the military and the civil services in India afforded, and these universally supported his own view of the matters reported on; the result being that he did not feel himself, without further communications, warranted in acting upon the instructions that had been sent out to him. The answer from the court of directors he (Mr. Hume) wished also to see; he believed that it was not at all in conformity with
Lord

Lord Hastings' opinions. In point of fact, he understood that Lord Amherst went out determined to carry into effect all the directors' orders which had appeared to Lord Hastings so inexpedient to be adopted. And here again was a striking proof of the incompetency of Lord Amherst for his office; because it was impossible for any governor-general of India to determine beforehand that he would carry any orders of this kind into effect. A governor-general must of necessity be guided by circumstances. After further animadversion upon the fitness of Lord Amherst for his office, the hon. gent. observed, that having, since he gave notice of this motion, understood that the court of inquiry had not, at the last advices, terminated its investigations, he would of course dispense with so much of his original motion as was intended to call for the minutes of their proceedings: but as he could not imagine that any danger to the public welfare, or to our empire in India, could arise from the papers he wished to be produced, he concluded by moving—"That there be laid before the house a copy of the military dispatch, transmitted by the Marquis of Hastings in the year 1819, to the secret committee of the court of directors, relative to the organization and allowances of the British army in India; also for a copy of the dispatch of the court of directors to the government of India, dated in 1823, on the same subject; together with a copy of any dispatches from India, in reply thereto, stating how far such orders and instructions of the court of directors had been carried into effect."

Mr. C. W. Wynn entirely concurred with the hon. gent. in thinking, that to the administration of so vast an empire as India, containing so many millions, and situated at so great a distance from this country, a very large discretion must be left as to the execution of any orders transmitted to him from home. At the same time he was surprised that the same principle had not reminded the hon. gent. that any individual placed in a situation of such difficulty, and having so large a discretion confided to him, was entitled to the confidence of his country, at least till he had an opportunity of being heard in answer to any charges brought against him. Of the mutiny at Barrackpore we possessed in this country no official account, but one that was written only five days after the mutiny itself occurred, and before the court of inquiry had finished its investigations. Under these circumstances, he (*Mr. Wynn*) felt that it would be the height of injustice to lay any information on the subject before parliament, till the government should be in possession of more complete and ample documents, and thereby be better enabled to meet the calumnious misrepresentations on this painful subject which had been circulated in private letters. None of the papers for which the hon. gent. moved could throw the least light upon the subject which he desired to elucidate. The new regulations referred to were not likely to be productive of the bad effects apprehended by the hon. gent. On the contrary, they were likely to be attended with great benefit, and to remedy the most serious evils

evils hitherto experienced in that very valuable service, the Indian army—namely, the tardiness of promotion. The right hon. gent. denied that the Indian government had manifested inattention to the complaints of the sepoys. Inquiries were instituted at the express command of Lord Amherst into the truth of them; and being found to be true, an issue of 5000 rupees was immediately made for the regiment. In a letter written by the commander-in-chief in India, it was expressly said, “that some dissatisfaction having been noticed to the commander-in-chief as prevailing among the sepoys, in consequence of a want of bullocks for baggage, an immediate order was issued to furnish them with bullocks;” and Sir Edward Paget ascertained that those provided for the 47th regiment were actually in line. This was before the mutiny. The right hon. gent. expressed his regret at the calamity that ensued on the mutiny, in the destruction of so many lives—180, as he understood; not 450 or 500, as had been mentioned in private letters. The difficulty of stopping the progress of such a calamity at the moment the officer who commanded could have wished it, must be obvious, when it is recollected that the artillery was sweeping away and destroying in the midst of a multitude. He (Mr. Wynn) dissented from the honourable gentleman as to the punishment that had been imposed on some of the guilty parties. The exposure of them in chains was a more salutary punishment than those military penalties that were but too common in India. With respect to the policy adopted by Lord

Amherst, he thought it was most unfair, in the absence of any positive evidence, to make observations which could only have the effect of exciting prejudice against that nobleman. He might have had very good reasons for adopting those measures which the honourable member had condemned. The honourable member had argued that the war was ill-timed. But the question was, whether the Indian government were allowed an opportunity to select their time. If a provocation were offered, the government must, of course, proceed to war; and, in this instance, when war was determined upon, it was admitted that it could not be prosecuted in any quarter with so much advantage as at Rangoon. Lord Amherst proceeded on the best opinions that could be collected; and, having done so, it was rather hard that so much censure should be cast upon him. Lord Amherst was particularly guided by the authority of a brave and meritorious officer, Major Campbell, who had since fallen a victim to the insalubrity of the climate. That officer had been four times up to Ava, and his opinion was, that, by capturing Rangoon, and preventing the enemy from deriving any resources from that quarter, he would inevitably be reduced to come to terms. The object, or the justice, of this war had never been called in question; and when the necessity for hostilities was proved to exist, that, he thought, would be but an indifferent sort of policy which could induce a government to resort to half measures. He of course admitted that it would be better if war could be avoided. This country had already domi-
nions

nions enough in India—more, indeed, than could well be managed. But, in his opinion, Lord Amherst was compelled to enter into this war; and he could not overlook the aggravating conduct of the Burmese government without lowering and degrading the British character. On this point he should say nothing more, as the honourable member had stated that he would introduce the subject in a more formal and tangible shape; but when it was so brought before the house, he should be ready to meet all the arguments which the hon. member might advance on the question. With respect to the abilities of Lord Amherst, he thought the hon. member had expressed too decided an opinion. When he was sent out, the company's territories were in a state of the most profound peace. It was hoped that that state of peace might have been preserved: and Lord Amherst appeared, from his feelings and his character, the most likely person who could be selected for the purpose of ensuring the continuance of tranquillity. It was quite fallacious to suppose that no danger was ever apprehended from the Burmese. Lord Minto had himself stated his conviction, that if the Nepal war terminated unsuccessfully, the Burmese would appear in arms against us. It was very true that during the administration of the Marquis of Hastings, a war with the Burmese government had been prevented. But how was it got rid of? Why, by sending back the letter of the Burmese monarch, and declaring that our government conceived it to be a forgery. Such a plan might succeed once, but it certainly would

not be efficient a second time. (Mr. Hume here asked, "What did the right honourable gentleman say to the destitution of the native officers of the 17th regiment?") Mr. Wynn observed, that the opinion of every person with whom he had conversed on the subject was, that it was quite impossible the mutiny could have been carried on without the knowledge of the native officers, if they had performed their duty. They had, therefore, brought this destitution on themselves. If he stated his own opinion on the subject, (founded, as it undoubtedly was, on very slight materials,) he should say, that the native officers had been guilty of very great neglect, and that they deserved the punishment of destitution. It appeared to him to be equally necessary for the interest of the public service, that they should be dismissed under the peculiar circumstances of the case, as it would have been, had they taken an active part in the mutiny. The hon. member had adduced many reasons for the alleged unpopularity of Lord Amherst; but he had omitted one, which he (Mr. Wynn) begged leave to notice. He really believed, that the circumstance of Lord Amherst having placed the lady of a commodore above the ladies of the senior merchants, on the table of precedence, had excited more hatred, jealousy, and ill-feeling, against Lord Amherst, than any other of his acts since he became governor-general.

Mr. Robertson viewed this as a most serious question, and one on which the fullest information ought to be afforded. The present contest

test in India ought to be viewed, not merely with reference to the Burmese, but with reference to the contiguity of the Burman empire with the empire of China, which contained a population of 150,000,000. He protested, most strongly, against our waging any war in India, unless we were actually forced into it. It appeared to him, that the course adopted to put down the late mutiny placed the life of every European in India completely in jeopardy. That the native troops were bold and resolute, could at once be proved by the well-known fact, that three companies of them had put to the rout 11,000 of the Burmese troops. So formidable a body of men ought not to be treated with harshness or severity. He hoped that such information would be laid before parliament as would enable gentlemen to understand correctly the present state of India.

Colonel Davies condemned, in strong terms, the conduct which had been pursued towards the native officers, who had separated themselves from the mutineers, and had in all respects behaved with propriety. How had the mutineers themselves been treated? Had gentle measures been adopted to bring them back to a sense of their duty? No; artillery was placed in their rear, and they were suddenly assailed with a tremendous fire. He believed that, if they had been properly addressed, they would have given up their arms, and expressed their contrition. Every man's blood must boil in his veins when he thought upon this catastrophe. Numbers were shot on the mo-

ment; and a whole day was spent in hunting and cutting down the unhappy fugitives. He had not much acquaintance with Indian affairs, but he had been informed by officers who had served in India, that a braver, a more loyal, or "better disposed set of men" did not exist, than those who composed our Indian army. He could not think without strong feelings of indignation of the treatment which the native officers had received on this occasion. The government had adopted the system of Rhadamanthus. They had punished those individuals, but they were yet to be heard. He trusted, the moment fresh advices were received from India, that the whole of this business would be sifted to the bottom.

Mr. Freemantle said, he could not but be astonished at the line of argument taken by the gallant officer who had just sat down. As a military man, he ought to see the necessity of at once putting down a mutiny, under all circumstances. At the very moment when the gallant officer was speaking, a military inquiry was going on for the purpose of investigating the whole case. This, therefore, he considered a very unfit period for the promulgation of such statement as had that night been made. The mutiny, he would take leave to say, was not put down by force until every other means had been resorted to for the purpose of bringing the troops back to a state of subordination. The gallant officer had truly observed, that there was not an army on the face of the globe more loyal, more determined, more eager to do their duty, than the

the army of India. During fifty years they had received, and they had deserved, the praises not only of India and of England, but of all Europe. While, however, he gave them their full meed of praise, he could not go so far as to say, that when any part of them showed a spirit of insubordination, they ought not to be promptly and vigorously checked in so dangerous a career. Now, he would ask, on what was the conduct of those who, on the recent mutiny breaking out, acted with promptitude and decision, founded? It was founded on the refusal of the men to march to meet the enemy. As this was the case, he was really astonished to hear any gentleman blame the steps which had been taken to put down the mutiny, however severe they might seem to be. But he contended that the severity was not, in fact, great. Every effort was in the first instance made to induce these men to lay down their arms; and when all persuasion was found useless, resort was of necessity had to force. The danger was not confined to the mutiny of one regiment. The great danger was, that disaffection, if a proper example were not made, would spread around. In a case of that sort, therefore, no time was to be lost. It was quite clear, that no opportunity could be allowed for a lengthened negotiation. The gallant officer complained, that a dreadful *fusillade* was opened on the mutineers; and he described them as having been taken by surprise. But this was not a correct statement of the case. A full opportunity was given to them to surrender, and when they de-

spised that offer, they must have known what consequences were likely to ensue. He denied entirely the assertion of the hon. member for Aberdeen, that the mutiny was occasioned by the withdrawing of any allowances from the native troops. In the despatch of November, 1823, not a word was said on the subject. The directions contained in that despatch applied to English officers; and in that arrangement the principle laid down by the Marquis of Hastings was adopted generally. On some of the points mentioned by the noble marquis, the court of directors differed from him—some of them were deferred, but the general principle was adhered to. The great object of the directions sent out in 1823 was to place the troops at the different presidencies on the same footing, which, though a very proper, was a very difficult undertaking. The allowances were not taken from any officers, who at the time the regulation was sent forth were receiving them, but were made to apply to those who afterwards entered the service. With respect to the alteration of *batta*, it referred to the removal of troops from different cantonments, and three years were allowed to elapse before the alteration was to take place. In no one instance had any remonstrances been made by the local governments on account of this alteration; and therefore the mutiny could not be traced to that source. On the whole of the arrangement of 1823, the company effected no saving. On the contrary, they added 200,000*l.* annually to their expenses. He conceived that such statements as had been made in the house that evening,

evening, by the honourable member for Aberdeen, and those who supported his motion, were calculated to have a very bad effect on the peace and tranquillity of India.

Colonel Baillie said, that gentlemen ought not to indulge in anticipations of the final ill success of a war, because it had commenced unfavourably. In the beginning of the Nepaul war our arms were not successful. One part of the army, commanded by a most excellent and gallant officer, had suffered a reverse; but yet that war was conducted to a successful termination. He agreed entirely in the eulogium which had been pronounced on the Indian army. It was as loyal and gallant an army as any in the world. But amongst that body, as amongst all others, disaffection would sometimes appear. He recollected that thirty years ago a mutiny broke out amongst a regiment of those troops, who expressed a determination not to embark on service. They were commanded by one of the most gallant and humane officers in our service. He, however, found it necessary to have recourse to force; and that mutiny was put down in a manner fully as calamitous, and as much to be deplored, as that which the hon. member for Aberdeen had described. The regiment in question was degraded from its station. The 16th regiment was for ever excluded from the list of the company's force. Some of the mutineers were brought to a court-martial. A part of them were capitally punished; and many others were punished, in degree according to the extent of their guilt. Some of them, on expressing their contrition, were admitted into the service again;

and the same result might, perhaps, occur in this instance. From a knowledge of the Indian army during 30 years, he came to this conclusion, that a mutiny could not be brought to a head in that army without the knowledge of the native officers; and, therefore, he looked upon the officers, in this instance, to have been conniving, at least to a certain extent, at the conduct of those who were placed under them. By such a proceeding they were unquestionably subjected to the punishment which had been inflicted on them. The native officers were connected with each other by the nearest degrees of blood. Many of the junior officers were children of men who had served 30 or 40 years in the Indian army; and it was impossible to conceive that a mutiny could be in progress without their knowing something of the matter. The honourable member for Aberdeen certainly laboured under a considerable mistake, when he asserted that a great proportion of the native troops were Brahmins. The fact was, that the number of Brahmins amongst the native troops was very small. The officers consisted of Rajpoots, and men of other high *castes*, but there were very few Brahmins amongst them. The information which had reached this country, as to the number of troops who had been cut off, was not to be depended on. It was exceedingly contradictory. He had received three or four letters from India, in one of which the number of men killed in the suppression of the mutiny was stated to be 580, in another 470, in a third, 360; and in a fourth, 180. As to the character of the governor-general, he thought they ought

to know something more about it before gentlemen proceeded to stigmatize it. They ought not to stigmatize his conduct, at a moment when it was impossible to judge of the wisdom and necessity of the measures he had adopted.

Sir C. Forbes said, that in spite of any observations which might be made by gentlemen in office, he would speak his sentiments as to the course of policy pursued by Lord Amherst, both in that house and out of it. With respect to any prejudice which might have been raised against Lord Amherst, on account of the alteration he had made in the table of precedence, he (Sir Charles) certainly did not participate in it. On the contrary, he gave him the highest credit for his conduct on that occasion; and he also gave great credit to the President of the Board of Control, who, he believed, had supported the alteration proposed by Lord Amherst, which gave a certain degree of precedence to the lady of Commodore Hayes. With respect to the suppression of the mutiny, he considered it as one of the most barbarous murders that had ever been perpetrated. How had the mutiny originated? The troops were ordered, at a day's notice, to march from Putra to Barrackpore (a distance of 1,000 miles) to join the British army. He knew this from a letter which he had received, and which was written, not after the mutiny, but before it broke out. This march was ordered in the monsoon season—a very unhealthy period of the year. On ordinary occasions, these troops, when changing their cantonments, were allowed coolies, bullocks, &c. to carry their lug-

gage; but on this occasion that was not the case. They were ordered to fall into the ranks with their arms and accoutrements; their knapsacks, in particular, were directed to be fastened on. They declined this. They said, "We are not coolies; we will not degrade ourselves by carrying our cooking utensils on our backs." It was this circumstance which gave rise to the ill-feeling amongst the troops, which at last broke out into open mutiny. If the public press in India had been at all free, this event would not have happened. He did not contend for the unlimited freedom of the press in India. He was not prepared to say that the complete and unrestricted freedom of the press there, would, under existing circumstances, be proper. But he certainly did wish that the press of India was far removed from its present state, which was one of the most slavish degradation. It was the defender of tyranny and oppression, instead of being, as it was in this country, the detector of abuses. It was here the birth-right of British subjects; but, in India, all and every part of that birth-right was withheld. How, then, could they receive information from India? They must either take such intelligence as the government chose to afford them, or that which they received through the medium of private correspondence. He had received a letter from a lady on the subject of the present state of India, part of which he would read to the house. He saw the chairman of the court of directors (Mr. Astell) smiling at this statement, but he would, nevertheless, read an extract from that letter. His hon. friend (Mr. Hume)

Hume) had, it appeared, received letters from civil, military, medical, and commercial characters, on this subject; but he repeated that the letter he was about to read, and it was a very sensible one, was the production of a female. It was not from the lady of Commodore Hayes, nor from the wife of any civil officer; but it was from the lady of a gallant officer, who was with the army at Rangoon at the time it was written. It was dated the 18th of November, and had been received by the very latest arrivals. The writer said—"Lord Amherst must have enough on his mind at this moment. Certainly it is a most nervous and critical time for every one of us. The public prints will have told you of the mutiny at Barrackpore before you receive this." Unfortunately (observed Sir C. Forbes) the public prints of India did not tell the whole of the business. If the public prints were suffered to notice passing events there, the government would not have been surprised by this mutiny at Barrackpore. The writer went on to say—"The 47th regiment has been struck off the army-list in consequence. The artillery and two European regiments were brought out against the mutineers; and it is hoped that Sir E. Paget's decided conduct will have a good effect. Yet the feeling of discontent is apprehended to have spread widely through the native troops; and there is no knowing whether it may not show itself somewhere else, where there are no European troops to put it down." The letter went on to complain of that economy, as very ill-judged, which had curtailed the native troops

of their accustomed allowances. He perfectly concurred with the gallant officer opposite (Colonel Davies) that the unfortunate mutineers ought never to have been pursued after they had taken to flight. The bringing the artillery upon them, dreadful as it seemed, might be necessary; but the pursuit was a cruel and needless piece of butchery, and one which would never have occurred if such men as Sir Lionel Smith or Sir John Malcolm had been in command. The hon. baronet sat down by declaring, that at no former period of our history had India been in so perilous a situation as it was at present; and that the house could not too soon recall the individual who had brought it into that state. Lord Amherst's friends could not do him a greater kindness than by soliciting his recall; nor could the house do the country a greater service than by assenting to it.

The *Chancellor of the Exchequer* said, that the present debate had led to some of the most extraordinary assertions with respect to public officers that it had ever been his fortune to hear in the course of his parliamentary experience. How could Lord Amherst or Sir Edward Paget defend themselves against attacks such as those now so liberally made upon them? For his (the right hon. gent's.) part he knew Lord Amherst personally; but he would not, on such an occasion, utter one word in his defence. He did not think the course now taken ought to be answered. He did not think that it would be justice to Lord Amherst or to Sir Edward Paget to attempt to answer it.

Let

Let the hon. member (Mr. Hume) come forward directly with a motion calling on the house for censure, and both the individuals whom he attacked would find abundance of defenders, and of able ones; but unless he could connect his recent observations with the despatch of the Marquis of Hastings in 1819—unless he could do this, and he (the chancellor of the exchequer) defied him to do it—he had certainly treated Lord Amherst unfairly.

Mr. Bright by no means agreed with the right hon. gent. in his view of the subject, and strongly objected to much of the conduct which had been pursued in the late mutiny. The general order which had been issued subsequent to that event was a reflection upon the whole body of the native officers of India, and a most unjust one. The course which had been adopted with reference to the officers of the regiment which had mutinied, was still more ill-judged, for they seemed entirely to have done their duty on the occasion. Generally looking at Lord Amherst's government, of one fact he was quite sure—that India had done any thing rather than prosper under it; and he did hope, that motion after motion would be submitted to the house until the whole causes of the existing discontent were inquired into.

Mr. Astell had heard no ground laid for the production of the papers in question. For the matter of the Burmese war, upon which many observations had been made, all the papers relative to that subject were already upon the table. No man could regret more sincerely than he did the late mutiny which had occurred; but a court

of inquiry was sitting upon the circumstances connected with that event; and he trusted, that until that court reported, the house would suspend its opinion.

Mr. Warre expressed his surprise that so many weeks of this session had elapsed without this subject having been brought under the consideration of parliament. It was said, that the alarm felt on this question was utterly unfounded. Was it not time, he would ask, to feel alarm, when the sepoys were revolting, and when British regiments, which had gone out of Calcutta 800 strong, were returning to it mere skeletons? Let the native troops but once feel their strength, and determine to act upon it, and the empire of England in the east, founded as it was upon mere opinion, was at an end for ever. The subject was so important to the whole country, that he was surprised that the government should withhold any documents which were calculated to throw the least light upon upon it.

The *Chancellor of the Exchequer* explained. He had never found fault with any member for discussing the general politics of India on this motion. What he complained of was, that this motion was used as a peg on which to hang a series of charges against Lord Amherst, who was not here to defend himself them.

Mr. Hume replied. If he had brought a specific motion forward against Lord Amherst, his honourable friend below him would have said, "Give me the official documents before you ask me to condemn him." Now that he called for the official documents, he was told that they could not be granted, because

because they were wanted as ground of attack against an individual who was not present to defend himself. This was an inconsistency which he left to be reconciled by wiser heads than his own. He contended at some length that there was such a want of confidence in Lord Amherst among the British residents in the different presidencies, and also among the native subjects of our Indian governments, as was calculated to produce great and permanent mischief. He was taking the best and the fairest course to put an end to it by his present motion. No reason had been assigned against it that weighed a feather in the scale, and he therefore trusted that the house would support him in his call for the documents mentioned in his resolution.

The house then divided : — for the resolution 15, against it 58 ; majority 43.

House of Commons, March 25. —

On the motion of *Mr Huskisson*, the house resolved itself into a committee on the customs and excise consolidation acts.

Mr. Huskisson said, that in rising to call the attention of the committee to the removal of certain duties now paid on the importation of foreign articles employed in some of the manufactures of this country, also on foreign manufactured articles, and likewise to the repeal of some of the protecting duties which were imposed on the supposition that they were necessary to uphold our domestic manufacture, he trusted for the same kind indulgence which he experienced on a former evening. He felt the more confident on this occasion, that it

would be extended to him, from the recollection of what had occurred on the evening when he introduced to the house another branch of the trade of the country. He was the more sanguine in looking to the support of the house to the measures which he should submit, from this circumstance — that we had now the benefit of experience, as to the advantage which might be derived from the removal of restrictions on our commerce, and the abolition of a system of vexatious legislative interference with the internal industry or foreign commerce of the country. However confident he and his right hon. friend, the chancellor of the exchequer, might have been, that the measures which they proposed last session would have produced the most beneficial results, it was nevertheless impossible not to feel that some circumstances might arise by which their expectation might be defeated. It was their duty, therefore, to watch carefully the progress of the measures they had proposed, before they proceeded farther in the course in which they had embarked. Now, however, it was ascertained by experience, that without one exception those measures had been completely successful. The fears, and forebodings, and predictions of those by whom they were opposed, turned out to be visionary ; while the ardent expectations of those by whom they were supported were more than realized. These satisfactory results must now be most gratifying to those gentlemen by whom the measures of last session were opposed. It must be consolatory to them to learn, that the house had not suf-
fered

ferred itself to be influenced by their predictions or prophecies; while to those by whom the measures were supported, it must be a pleasing reflection to think, that as they proceeded farther in the same course, the public interest must be more and more benefited. Last session, a total change was made in the laws affecting the silk trade; and instead of an entire prohibition, it was proposed that an *ad valorem* duty of 30 per cent. should be laid on. Some gentlemen then suggested, that this was too high, not for the English manufacturer (for he was still afraid that it was not high enough), but too high, inasmuch as it left a latitude to the smuggler. In this latter opinion he was inclined to concur, for he had still some doubt whether that high duty would not have that effect to a considerable extent. The measure passed, and what was the result? The fears of the manufacturers in this country, whatever they were, had completely subsided. If any fears now existed, they were transferred to the French manufacturer; and he (Mr. Huskisson) had good reason to know, that serious apprehensions were entertained by the manufacturers in France, at the great progress which we were making in the silk trade in this country. Now if thirty per cent. duty were found quite enough for the protection of that trade, it remained to be considered what should be done with respect to other trades, where the protecting duties were so high as to leave a large profit to the smuggler to the great injury of the fair trader. The first of the duties to which he should call the attention of the

house, were those for the protection of the cotton-trade, which was the greatest of all our manufactures. In that trade he apprehended we excelled all our rivals, whether with respect to quality or fabric. Our perfection in this article was admitted by every country; and in every market where our cotton goods could be introduced, they obtained a preference. The extent of our trade might be inferred, when he stated, that in last year the amount of cotton goods exported from this country exceeded 30 millions sterling official value. Now, with the certainty that the English manufacturer could purchase cheaper in his own than in any foreign market, what did the house think was the amount of the protecting duty on foreign cotton? He would state it, and the fact showed what was the jealous feeling with which some of our manufacturers (ignorant of their real interests) formerly viewed any competition of other trades; and the absurdity of allowing the jealousies of one branch of trade to operate with the legislature in enacting measures restrictive of the general commerce of the country. The duty was 75*l.* per cent. on one sort of cotton goods, 65*l.* 10*s.* on another—(he envied the shrewdness of the man who imagined that 10*s.* were the point at which the English manufacturer could be protected against foreign competition)—and the lowest duty was 50*l.* per cent. *ad valorem*. All this was, he would contend, quite absurd. It was preposterous to apply such enormous duties for the protection of a manufacture in which we so much excelled, against the light articles of a foreign

foreign country. But it should also be recollected, that cotton was a principal article of manufacture in one of our own possessions, where the manufacture of cotton cloths, and cotton goods of various descriptions, was carried on to a great extent. Yet against these people, part of our own subjects, we were imposing a duty of 75 per cent., while we obliged them, at the same time, to receive our articles. Leaving the small duty on the raw material, he would propose to reduce all these duties to 10 per cent., which would, he conceived, be quite sufficient to protect our trade. He would allow cotton goods, the produce of India and of all other places, to come into our markets on payment of that duty; and he should be able to show that the alteration would be for the general benefit of the country. He next came to the woollen-trade—the old staple trade of this country. This trade was the petted child of the legislature. It had been nursed, and fondled, and fostered, and protected by legislative interference; but, like many other fond children, it was almost spoiled by over-attention, and did not at all advance in strength in proportion to the tenderness with which it was treated; while its younger brother, the cotton-trade, which was left to rough it along by itself, made greater progress in the world, with a stronger and more invigorated constitution. It would be fatiguing to himself and to the committee to go through a detail of all the laws which had been from time to time enacted for the purpose of protecting this trade, and which went to an interference with even the most

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minute proceedings in every state of the manufacture. It would be sufficient to state, that in his own time, not fewer than 100 acts of parliament had been repealed; which had for their object the regulation of, or the interference with, some branch of the trade. In addition to these, there were laws regulating the mode in which the wool should be picked from the sheep—the manner in which it was to be conveyed—the way in which it was to be dressed in particular cases—and a variety of other rules and laws, which had only the effect of crippling the trade, and preventing its natural growth. Most of these had lately been done away with, but the high protecting duties still remained. Those duties were 50 $\frac{1}{2}$ per cent. on the value of all foreign woollens imported; yet it was well known that we exported woollens to a considerable extent. He would propose to reduce the duty on foreign woollens from 50 to 15 per cent., which he thought would be quite sufficient to afford our trade all the protection it required. Having stated that the silk and woollen trades had been interfered with by ill-advised legislative enactments to a great extent, while the cotton-trade had been comparatively free from such trammels, and that that was one great cause why the cotton-trade had thriven so much better, he would, with the permission of the committee, illustrate his statement by showing what was the condition of the two trades (cotton and woollen) in the years 1765, and the year just ended, being a period of 60 years. He would first show what was the import of the raw material in those years. In the

year 1765 there were imported into this country 3,359,000lbs. of cotton-wool;—in the last year the quantity amounted to 150,000,000lbs. In the year 1765, the value of all the cotton goods exported was only 200,000*l.*; in the last year it was 30,795,000*l.* In 1765, the quantity of sheep's wool imported was 1,926,000lbs.; in the year ending 1825, it was 3,858,000lbs.; in 1765, the value of woollen goods exported was 5,159,000*l.*; in the last year it was 6,926,000*l.*, being only a difference of 1,767,000*l.* He was sure it would not be denied that the aggregate quantity of wool grown in this country was greater at present than it had been 60 years ago. The many improvements which had since then been made in husbandry—the increased facilities of producing winter food for sheep, must of necessity have augmented the quantity of wool produced at present very much beyond that of the year 1765. If to this were added the amount imported in the last year, would it not appear surprising that the difference in the exports between the two periods should be only an increase of 1,767,000*l.*? This increase, it must be obvious, was not at all in proportion to the increased power of consumption. If the consumption of cotton goods had increased to such an extent as he had stated, was it not right to assume that the consumption of woollens would have had a somewhat proportionate increase, if the trade had not been fettered down by absurd regulations? The means of consumption had increased, and it was admitted that the wants of the consumer increased in proportion to his means. He would next call the attention of the committee

to another great branch of our trade—the linen manufacture. It would be quite impossible to go at present into the detail of all the regulations which existed with respect to the scale of duties, in the book of rates, on this subject. He would content himself with saying, that the lowest rate of duty on foreign linens imported, was 40*l.* per cent. and it was raised on various kinds, so that it reached on some to 180*l.* per cent. on the manufactured article. In order to do away with the confusion which the present regulations in the book of rates tended to create, and to make the thing intelligible, he would propose (and on this subject he had consulted persons best acquainted with, and most extensively concerned in, the linen-trade) to put an *ad valorem* duty of 25 per cent. on the importation of all linen of foreign manufacture. When it was considered that 30 per cent. was thought sufficient for the protection of the silk trade, he should say that this sum of 25 per cent. was fixed more to meet the prejudices of many in the linen trade than from a conviction that it was necessary as a protection. Another branch on which he proposed to make an alteration was that of paper and books. The importation of foreign books was in a great degree prevented by the present high duty. Now he put it to the committee, whether, when the copyright of individuals in this country in any works was sufficiently protected, the present high duties ought to continue? In proposing a reduction of duty, he had no wish that any injury should be done to the publishers here, and he was certain that the measure would not have that effect. His

proposition

proposition would be, that on all bound and unbound foreign books imported into this country, there should be a duty twice the amount of that paid here on paper. This would bring the duty very considerably lower than it was at present, and would tend to prevent the smuggling which was now carried on in foreign books. The importation of any printed books, in which there was a copyright in this country, would not, of course, be allowed. The publisher of such works in this country would still have the same protection as at present; but the publisher of a work abroad could not claim any copyright here for such publication. All works, therefore, imported, would have to pay sixpence per pound-weight duty, which was just twice what was paid as excise duty on paper. This would be found a sufficient protection to the publisher here, and would go a great way to put an end to the smuggling of foreign books. Another article on which the duties amounted almost to a prohibition was foreign glass. The duty was at present 80 per cent. above the excise duty. This was found to press with particular severity on persons importing wine in bottles. The duty on wine had of late been very considerably reduced, but that on the bottles was so high, that it amounted to half the duty on the precious liquor it contained. He would propose to reduce the duty on bottles from 18s. to 3s. per dozen, which would be double the excise duty paid on bottles manufactured in this country. On all other kinds of glass imported, he would reduce the duty to 20 per cent. above the excise duty paid on British glass.

If he went from glass to earthenware, he should find the same principle in force, and notwithstanding that we manufactured the article cheaper than our neighbours on the continent, yet we had a protecting duty of 75 per cent. on the foreign article. This he proposed to reduce to 10l. or 12l. per cent., but in the higher article of porcelain, the duty would be something higher. As at present the only profits which accrued from the importation of that article were derived by the smuggler, he would not make the duty so high as to continue this temptation. There was a great variety of other articles, which were either prohibited altogether, or the duties so high as to be equivalent to a prohibition; such as turnery, gloves, and so on. Gloves were altogether prohibited, and what was the consequence? That hundreds of persons were employed in smuggling them into this country. Now, he thought it much better to have a duty of 30 per cent. than an entire prohibition. The smuggler's trade would then be in a great degree destroyed, and the home trade in that article be sufficiently protected. On foreign turnery and other light articles, a considerable reduction would be made; but still the duty continued sufficiently high to protect our own trade in those articles. Having thus stated what were his intentions with respect to these duties, he would now come to duties of another class, which were very high, and very injurious in their operation on the general trade of the country. These were the duties on metallic substances. His right hon. friend, the chancellor of the exchequer, had stated to the house on a former

evening his intention of reducing the duty on foreign iron from 7*l.* 10*s.* or 6*l.* 10*s.* to 1*l.* 10*s.*—a measure which would be productive of the most important advantages to the country. One hon. member (Mr. Alderman Thompson), who was most extensively connected in the iron trade, had expressed his entire approbation of the proposition, which he admitted would be of great benefit to the manufacturer and the consumer, and at the same time hoped that it would not be opposed by the iron masters of the country. He (Mr. Huskisson) should confess, however, that it had been his lot since to see several of those iron masters on the subject, and he regretted to find that they were quite opposed to the opinion of the hon. alderman with respect to it. They, like many other persons at the head of particular branches of trade, were most liberal in their views with respect to trade in general—they were most anxious that all trades should be as open as possible, except that particular one in which they were engaged, and in that alone would they wish to have the monopoly continued. He would assert confidently, that the comforts of a very numerous body of people depended on the reduction of the duty on foreign iron, which was so well received by the house when it was mentioned by the chancellor of the exchequer on a former evening. He knew that there were at the present moment extensive orders in Sheffield and Birmingham—some of them from North America, others from several parts of the South American provinces—which could not be executed because they were sent with a limit-

ation of price; and he also knew that very many individuals were now employed in making models of the kind of articles wanted, which were to be sent off to Germany, where the orders could be executed at a very reduced price. Was not this, he would ask, quite enough to show the great importance of having those duties reduced? Was it not an injurious monopoly, thus to exclude a foreign supply, and confine the market to the produce of the country, which was really not sufficient to supply the general demand? It was of the utmost advantage to this country to have, in the manufacture of many articles, a mixture of foreign iron, particularly Swedish, which was superior to the iron smelted with coal. The want of a sufficient supply of that iron (in consequence of the high duties) had caused a deterioration in the quality of several important articles of our iron manufacture, and would produce a consequent diminution of the demand. In the manufacture of iron cables, for instance, which had of late come into very general use in our ships, a mixture of Swedish iron was considered of great advantage, and those cables in which it was used were considered the best. Here, then, a most important benefit to our naval interests might be counteracted or prevented, by continuing the present high duties: the reduction of duty on this article was on every account advisable. The next article upon which he intended to effect a reduction was copper. The state in which the English manufacturer was placed by the high duty on iron was not more injurious than that in which he

he was placed by the high duty on copper. The duty on the importation of copper was at present 54*l.* per ton. Now, if we attempted to maintain the duty at this high rate, and to keep up the price of our copper manufactures accordingly, it was evident that we must ultimately be driven from the market by our incompetency to contend with the foreign manufacturer; whereas, if we lowered the duty, and so enabled our manufacturer to furnish a superior article at a lower price, we should soon become the manufacturers of it for the whole world. The consumption of copper amounted at present, in each year, to 10,000 tons, of which 4,000 or 5,000 were used at home, whilst the remainder were exported to the foreign market. Now, the owners of copper-mines must see, that if by the high price at which the manufacturer bought copper, he should lose his hold upon the foreign market, they must be injured by the effects of their own monopoly. The supply of copper would be diminished more than one-half; and they would therefore lose more by the continuance of the present duties than they would run the risk of losing by the repeal of them. Besides, they ought to recollect, that in this article a new field of supply had recently been opened on the world. Copper was plentiful in many of the states of South America; and if our policy in imposing on it high and prohibitory duties had not prevented it from coming into this country, we should have had a much greater manufacture of copper than we had at present. By prohibiting the importation of copper, other countries had been

compelled to undertake the manufacture of it themselves; they had discovered means of rolling and preparing it, and were actually employing our machinery to do that which we should have had an opportunity of doing ourselves, had it not been for our impolitic restrictions. A supply of copper was poured into Europe from Chili; of that supply we might have been the masters, if we had not placed on the article such an enormous duty as incapacitated other countries from purchasing it at our hands. The committee must be aware of the difficulty which was always found in reconciling the conflicting interests of the manufacturer and the consumer of an article. He was, however, of opinion that he should do good to both in reducing the duty on copper from 54*l.* to 27*l.* per ton. That reduction would relieve the evil which pressed at present on the copper-manufacturer of the country, and would be productive of consequences which he trusted would enable him, in another session, to propose to the committee even a still larger reduction. There was another article in which he thought that he might safely propose an alteration of duties. It was the article of spelter, a metal better known by the name of zinc. The duty on the importation of it into this country was 28*l.* per ton. The selling price of it at Hamburg was 30*l.* per ton, whilst in England it was from 40*l.* to 50*l.* per ton. This article formed a third part of the composition of brass; so that with this duty of 28*l.* per ton on the zinc, and a duty of 54*l.* per ton on the copper which went to its formation, how could they suppose that

that the English manufacturer could support himself against the competition of the foreign manufacturer? The great occupation of our manufacturers at present was, to furnish patterns for the foreign manufacturers, which they were unable to furnish for themselves. He proposed to reduce the duty on this article full one-half. He believed that the reduction ought to go still further, but he would not press it at present in consequence of some individuals having capital engaged in the mines of this country, which, however, could not in any respect compete with those of Silesia. The next article to which he came was tin. The duty imposed on it was so enormous as to be absolutely prohibitory. He intended to reduce it from 5*l.* 9*s.* 3*d.* per cwt. to 2*l.* The duty on lead, too, would also be diminished, but the diminution would be smaller than that on tin. He had now gone through all the articles enumerated by name in the book of rates to which he intended to apply the principles on which he thought the reduction of these prohibitory duties expedient. He must now inform the committee, that upon all goods, wares, and merchandize, being either in part or wholly manufactured, not being enumerated or described in the book of rates, nor otherwise charged with duty, and not prohibited to be imported into or used in Great Britain, for every 100*l.* value, a duty of 50*l.* was payable, and that upon all goods, wares, and merchandize not being either in part or wholly manufactured, for every 100*l.* value, 50*l.* was paid. He ought to state to the committee, that every thing which could by any

accident be considered as an object of jealousy to any of our manufactures was enumerated by name in that book; but there were many things not connected with trade or merchandize, but with art, science, and literature, and deriving their value solely from such connexion, which, whenever they came into the country, cost the person who imported them 50 per cent. on their estimated value. He would give them a curious instance of the manner in which this regulation was sometimes applied. A friend of his own had recently had occasion to import into England an object, which, though some might consider it ludicrous, others deemed worthy of curiosity and interest—he meant a mummy. The officers of the custom-house, when this article fell into their hands, were not a little puzzled by it. These remains of mortality were of a nature which embarrassed them considerably. The muscles and sinews, which had been preserved for three thousand years, could scarcely be called a raw material; and therefore, after long debate, and mature deliberation, it was determined to treat them as manufactured articles. His friend was particularly anxious not to lose his mummy, and on being interrogated as to its value, stated it to be worth 400*l.* That declaration cost him 200*l.*, for he was called upon to pay a duty of 50 per cent. on the manufactured merchandize he had imported into the country. This case might be taken as a fair specimen of the multitude of similar cases which were daily occurring, full of vexation to individuals, and productive of little or no advantage to the revenue. An alteration of

of this duty would, he conceived, confer a great benefit on the community. He therefore proposed to reduce the duty on all manufactured articles not enumerated in the book of rates, from 50 per cent. to 20 per cent.; and the duty on all raw materials not so enumerated, from 20 per cent. to 10 per cent. The result of all these alterations would be this—that the maximum of duty which he should leave in the English book of rates, where the duty was not imposed for purposes of trade, but of revenue, would be 30 per cent. He was quite satisfied that any duty which was more than 30 per cent. on the prime cost of any article, could have no other effect than to transfer the trade in it from the fair trader to the smuggler; and he was sure that the committee would feel that, when his right hon. friend, the chancellor of the exchequer, was endeavouring, by lowering the high duties, to put an end to smuggling, the last thing which it ought to countenance was the continuance of a high duty, not for the benefit of the revenue, but for the supposed protection of certain branches of our manufactures. This was a subject connected with painful and melancholy reflections. If gentlemen did but know the state of the coast of Sussex, notwithstanding all the vigilance of the coast blockade, they would feel that there was no evil which more imperatively called for redress than the frequency of smuggling on that coast. “Let any gentleman,” continued the hon. member, “go down to Brighton, and wander along the coast from Brighton to Deal, and I will undertake to say, that if he takes

the first man he meets, and states to him that he wants certain prohibited articles—as, for instance, drugs, or gloves, or ornamental china, or any thing, I care not what—within half an hour persons shall be brought to him who will engage to deliver to him, within ten days, any articles he may want, on an allowance of 30 per cent. beyond the prime cost at Paris. What is the consequence of such a system? That you have whole families regularly employed in a permanent violation of the law, encouraged in the prosecution of a system which naturally leads them to a disregard of their moral duties—which tends to make them not only bad subjects, but bad members of society—which places them in continual outlawry, and leaves them in a state little above a state of piracy. And this too, he it observed, not for any benefit to the revenue—(for I contend, that the exchequer, instead of receiving benefit, receives injury from such a state of things)—but for the protection of some pretended interest, not in the great manufactures of the country, but in its second rate and cheaper manufacture, which some speculators have prevailed on the house to protect, in order that they might compel the country to purchase from them an inferior article at a heavy price, when it might obtain a better article at a lower price from a foreign country.” The hon. member proceeded to illustrate this position by particular instances. Cambrics were manufactured in France, or rather in Flanders, cheaper and better than they were in England. A high duty was imposed on them to prevent their importation; and the

effect of it was, that owing to the high rate of duty, the revenue received on the importation of these cambrics, instead of amounting to 40,000*l.*, as was anticipated when it was imposed, did not amount to more than 4,000*l.* The whole quantity which went into consumption, and which was known to be great, was brought into the country by the ingenuity of the smugglers. The same was the case with regard to a certain species of paper. There was a kind of paper manufactured in France, which, for engraving and some other special purposes, was much superior to any paper manufactured in England; but, because some individuals engaged in the manufacture of paper in England, thought proper to complain of the French paper as injurious to the sale of his own, and chose rather to imitate than to surpass it, the house adopted a usual short course of imposing upon it an enormous prohibited duty, and so compelled the English consumer to confine himself to the use of a dear and bad article, when he would naturally have preferred a cheap and good one. The effect of such a system was to offer a premium to mediocrity, and to entail upon the country many of the evils of monopoly. It destroyed all motive to exertion; it cramped the energies of industry, and it impeded the progress of improvement. It was attended by one of the chief evils of monopoly. Whenever any restraint was put upon the market of supply, it led to great fluctuation in the demand; that fluctuation in the demand led to a fluctuation in the price, which was attended with disagreeable consequences to all parties; for it exposed the

dealer to great risk, and the consumer to great inconvenience. Not fearing, therefore, that the reduction of the duties which he had proposed would tend to overwhelm the country with any foreign articles which would be injurious to any of the great branches of our own manufacture, he had no hesitation in pressing on the committee the necessity of carrying it into immediate effect. He did not pretend to deny, and it would be absurd if he did, that some foreign goods would make their way into the country. On the contrary, he admitted that they would find their way into it, and that, too, to the benefit of the country. That it would be to the benefit of the consumer nobody would dispute; and he thought that it would be to the benefit of the manufacturer, as it would inspire him with a desire to improve his manufacture. He was not induced to make that observation by any series of general remarks or arguments; he had experience to direct him on this point, and to support him in the scale of duties which he had that evening proposed to them. The committee was aware that in the year 1786 we entered into a treaty of commerce with France. By that treaty we stipulated that the woollen and cotton goods of France should be admitted in this country, and that our woollen and cotton goods should be admitted into France at a duty of 12 per cent. The same stipulation was made with regard to all articles of glass, earthenware, &c. Some articles were admitted at a duty of 10 per cent, and none at a higher duty than 15 per cent. What was the consequence? We sent our goods

goods to France, and imported French manufactured goods into England, but no injury accrued to any branch of our manufactures from the rates of duty which he had specified—all of which, by the bye, were inferior to those he now called upon the committee to ratify. He would here seize the opportunity of stating one or two facts as an illustration of the improvement which grew out of this interchange of the manufactures of the two countries. Immediately after the treaty of 1786, French woollens were imported into this country in great abundance. They became very fashionable, and nobody who called himself a gentleman would wear any thing else but a French coat. In less than two years, our manufacturers had so much improved in the manufacture of woollen, that their cloths were frequently sold as French, and no difference could be discerned between them. The same improvement took place in the manufacture of fancy muslins, in which they had before excelled us in the beauty of their patterns. He had no doubt but a similar improvement would take place at present in our manufactures under the competition against which they would now have to contend. From Switzerland, and certain parts of Germany, some articles of cotton goods might perhaps be brought which would have a superior brightness of colour to recommend them to public attention; but he really believed that the great bulk of our consumption would still be supplied, in spite of all foreign competitors, by the skill and industry of our own manufacturers. He was the more inclined to believe this, from a recollection of

the improvement which had taken place in the silk trade since the alterations made in it by the act of last session had come into full play. Up to the last year we had made no advances in the branch of our manufactures; but at present he knew of his own personal knowledge that British silks were sent down to the coast of Sussex, and were sold there as silks of French manufacture. Such was the empire of fashion; it led its votaries to give extravagant prices for goods, not caring so much for the value of the article manufactured as for the name of the place from which it was supposed to come. He might be told that a great change had been effected in the country since the year 1786—that we had been engaged in a long and expensive war, and that we had to support the weight of a great many new and heavy taxes. He admitted that such was the case. In other countries, however, war had raged in all its horrors: their taxes had been increased, and their burdens made to press more heavily. What was still more mischievous, their capital had been ravaged, diminished, and destroyed: in this country no such calamity had been experienced. The capital of England, thank God, was still unimpaired; and it was not with us so much a question of mere manual labour, as it was, since the invention of the steam-engine, a question of the progress of the reflective mind of man calling forth the capacity of the country to give effect to its wonderful discoveries. In that respect we stood proudly pre-eminent. In addition to our capital, we were in possession of that energy of enterprise, and of that stability of exertion, which had always

always been the distinguishing marks of the English character; and he had no doubt, that with such qualifications on our side, we should, even though all our protecting duties were abolished, continue superior to the efforts of our commercial rivals, not only in our own market, but also in the markets of every nation to which our fleets could waft us. He expected to meet with another objection—indeed, he had already met with it in the correspondence he had felt it right to carry on with some intelligent merchants on this very subject—he expected, he said, to be told that in 1786, we had insured from France, by treaty, a reciprocity of commercial advantages, and that at present we had made no such arrangement. He would allow that this argument might in one respect be worth considering—he meant in its relation to the foreign market; but with regard to the danger of our being undersold in our own markets, he did not conceive it to hold at all. He had just now told them that he had considered it his duty, before he proposed these resolutions, to commence a correspondence regarding them with some of our most enterprising and intelligent merchants. From one of them, who had formerly been a member of that house, and whose absence from it he regretted, not only on account of the vigour of mind which he displayed upon all questions, but more especially on account of the great practical knowledge which he would have brought with him to this question—from Mr. Kirkman Finlay he had received a letter, in answer to a communication he had made to him, of which he

should beg leave to read a part to the house. The part which he should read related to this question of reciprocity. The letter was dated the 18th of February, and was in the following terms:—“Subscribing, as I do, to every one of the advantages stated in your letter, I will not occupy your time by going farther into the subject; at the same time, I must not lead you to suppose that such a measure is likely to be adopted without some opposition from manufacturers, who have all their old prejudices to remove before they can subscribe, in their own case, to the sound principles of free commercial intercourse, which you are, so much to the public advantage, endeavouring to establish. Believe me, that no one takes a deeper interest than I do in the success of all such measures; and I am certain that the adoption of such a plan as we are now talking of, will go far, in its consequences, to satisfy persons both at home and abroad, of the benefits that will arise to all countries from the general establishment of such measures. It is no doubt true, that it will be argued that such concessions ought not to be granted to foreign states, without being accompanied by some stipulation for the admission into their consumption of some of our produce or manufactures on the payment of a moderate duty. But in my view of the case, we ought not so suffer ourselves to be influenced by such reasoning, since our whole object being to benefit ourselves, our inquiry is naturally confined to the consideration of whether such a mode of acting be really advantageous, independent altogether of what may

may be done by the government of other countries. Now, if the measure be really beneficial to us, why shall we withhold from ourselves an advantage, because other states are not yet advanced so far as we are in the knowledge of their own interests, or have not attained the power of carrying their own views into practice?" The hon. member, after he had finished the perusal of the above letter, observed, that in the last words of it his hon. friend had clearly stated the real grounds upon which foreign states had acted—namely, their ignorance of their own interests, and their incompetency to carry their own views into practice. But let his hon. friend, the chancellor of the exchequer, continue to come down to parliament, year after year, to accumulate fresh proofs of the advantage of taking away restrictive impositions upon commerce, of the benefit of diminishing excessive duties, and of the practicability of obtaining from such a diminution of duties an increased revenue—let his hon. friend, he said, continue to come down year after year (and long might he live to do so), to propose a reduction of taxes, and to gratify the country by an exhibition of resources which, notwithstanding such reduction, still raised the exchequer to the same level—let his honourable friend continue to present such an exhilarating spectacle to the sight of the world, and it would not be long before he would open the eyes of other governments to the advantages of our present system. At present they did not give us credit for sincerity, but suspected that for some reason or other, into which

they could not penetrate, we held it out to them as a deceitful lure. They would not adopt our new course of relaxation, but were rather inclined to adopt our cast-off resolutions in favour of restrictions and monopolies, and to take up the task of enforcing them in our stead. But when they saw the advantages we derived from abandoning our unwise and antiquated prejudices in favour of restrictions and prohibitions, when they became convinced by the testimony of their senses that every step of our progress was attended by fresh benefits, it needed no stretch of prophetic imagination to predict that they would soon renounce the errors of their ways, follow our example, and pare down the most excessive of their duties, as he was now calling upon the committee to pare down the excessive duties which had been imposed by former parliaments. Having thus stated the alterations which he intended to propose with regard to the protecting or prohibitory duties, it was necessary that he should now add, that with a view to give the British manufacturer every fair advantage, and to enable him to meet the competition with which he would have to contend in the foreign market, it was desirable to consider how far it was possible to reduce some of the duties which at present seemed to interfere with their immediate success, by being imposed on the raw material which he was obliged to use in his manufactures. During the exigency of the war, contrary to the policy which the country had pursued before its commencement, we found it necessary to lay a duty—or at least we did lay a duty—on various articles

articles employed in dying. The articles were various in kind, but the amount of duty derived from them was not considerable; still, if it operated to the value of one or two per cent. against them in the present open competition of the market, it might operate to their disadvantage, and therefore ought to be avoided. As he had measures to propose which might naturally create some alarm among various classes of the manufacturers, he was anxious to adopt, as part of his system, such measures as would give some encouragement to them in several of the articles they were obliged to use. On most of the articles to which he had just alluded he intended to propose a reduction of the existing duties. They were so numerous, that he should not weary the patience of the committee by attempting to go through them; they would all be found in a schedule which he should lay upon the table at the time when he proposed his resolutions. There were one or two articles, however, contained in the schedule, to which he should beg leave shortly to refer. One of the articles used in the manufacture of woollen goods was a species of oil; the duty on it had been increased during the war; it was his intention to reduce it to a still lower rate than that at which it was before the commencement of the war. This reduction would afford considerable relief to our woollen manufactures. [Some member asked "what kind of oil it was?"] The oil used by them was the common olive oil; and the rate of reduction which he intended to apply to it would leave the manufacturers of England in a better condition than that of any

other country. There was another species of oil, made from rape-seed, and much used in the manufacture of our coarser woollens, on which he also intended to alter the duty. By a measure which the house passed during the severest period of the agricultural distress,—a measure which he never expected would afford it the smallest relief, of which the benefit was necessarily confined to a very small and limited district, and which had not produced any of those beneficial results which the hon. member for Essex had so boldly anticipated,—they had laid a heavy duty, amounting almost to a prohibition, on rape-seed and flax-seed oil, and had thus enhanced the price of it very considerably. That was not, however, the only injury which they committed by that unwise and ill-advised measure: they destroyed the manufacture of oil from rape in this country: for by prohibiting the introduction of the raw material, they increased the difficulty of making, and consequently the expense of purchasing rape oil. Rape became so dear, that the manufacturer would not purchase it to make oil; without the oil, no oil-cake could be made, and the consequence was, that the farmer who wanted the oil-cake for agricultural purposes, was not able to procure it. The oil-cake manufacturer could not afford to get the rape from abroad, and the farmer could not afford to purchase the oil-cake at its advanced price from the manufacturer. He therefore proposed to revert to our ancient policy upon this point, and after allowing a certain time to the dealers to get rid of the stock they had in hand, to take off the duty on

on this oil altogether, and to give the manufacturer the power of supplying the farmer with cake, instead of compelling him to get it when he could afford it, from the foreign market. He believed that it would also be an encouragement to the manufacture of low-priced woollens to reduce the duty on a species of foreign wool used for coarse cloths still lower than it was reduced already. Our manufacturers were in the habit of importing a great quantity of low-priced wool at a shilling a pound, or thereabouts. It was in that branch of our manufacture that they most of all feared competition. He therefore proposed, with a view to encourage them against despondency, that the duty on all foreign wool imported into this country, which was under the price of one shilling a pound, should be reduced to a half-penny a pound. He was instructed that to the manufacturer of coarse woollens, this reduction would prove no small source of relief. In making this proposition, he might appear to be travelling, and indeed he was travelling out of his own proper department, and to be trespassing on the peculiar province of his right hon. friend the chancellor of the exchequer; but as the duties to which he was referring were not considerable, and as the amount of revenue derived from them was not great, he trusted that his right hon. friend would forgive him the interference of which he was guilty. Though he was labouring in the vineyard of which his right hon. friend was the conductor and overseer, he was doing nothing more than hewing down the rotten branches, which afforded to it neither ornament nor

protection. If any benefit accrued from his exertions, he trusted that his right hon. friend would reap the fruits of it, and would offer them next year to the country in the further relief of taxation. He now came to the last of the three heads into which he had divided this subject; and under that head he intended to propose the measures which, in his opinion, would tend to relieve the commerce and navigation of the country; and he must beg the particular attention of the committee, whilst he suggested a measure for the relief of an interest so important to the country as its shipping interests and its commercial relations at home and abroad. There was already laid on the table one bill which would contribute very essentially to that relief. That bill was intended to do away with all the quarantine duties. The amount of those duties was considerable. He thought that they were unfairly placed on the shipping interest, though the alleged reason for placing them there was the protection of the country. It was a hardship that the shipping interest should be exposed to these duties, independently of the loss of time and the heavy expense which the keeping of quarantine inflicted upon it. On that account he was of opinion that the committee on foreign trade had acted with no less prudence than propriety in advising that the expense of these duties should be borne by the country at large, and not by any particular class in it. This measure would, beyond all question, be a relief to the commerce of the country in general, but would be more especially a relief to that part of it which was engaged in trading

trading to the Levant. Another measure which he intended to propose was connected with a measure which he had mentioned on a recent occasion to the house; and since he had last had the honour of addressing them upon it, he had conversed with many gentlemen regarding it, who all admitted its great advantages. That measure was the abolition of fees on all commerce to our colonies. He knew that these fees formed a heavy tax on persons engaged in that commerce, and were considered much more irksome than many taxes which in point of money were much larger. He should therefore get rid of them altogether. The next measure to which he entreated the attention of the committee was the removal of the transfer duty which was payable on the transfer of any share of a ship, or on the sale of a whole ship, from one person to another. This duty was an exception to the general stamp duties, and grew out of this anomaly—we compelled, for reasons thought to be conducive to our navigation, all British ships to be registered by their owners. That measure was no advantage at all to the ship owners; on the contrary, it was inconvenient, oppressive, conducive to litigation, and rendered their property in it liable to be attached. The house had on this suggestion improved the laws relating to the registry of ships, and mitigated their severity on the ship owners. Still it was required that the owners' names should be given in. Now, to take advantage of a law which compelled the names of all the owners to be registered, in order to attach a stamp to every transfer

that might be made in the ownership, was a great injustice in itself, and an unnecessary aggravation of an inconvenience, which, even if it were necessary, was still an inconvenience. He should therefore relieve the shipping interest from this annoyance, and should allow a ship to be transferred or exchanged, either in whole or in part, like any other chattels, without any payment of duty. He should abolish the whole of this transfer duty, and should provide that the registers, when they were renewed, should be freed in future from any such tax. There was another article in which he should also be able to afford considerable relief to the shipping interests. There were certain goods which were only allowed to be exported on certain conditions. Bonds were required from the exporters for the due delivery of the goods at the place to which they were to be exported; and these bonds were subjected to heavy stamps. A great difficulty often arose in the custom-house respecting them, since the stamps were *ad valorem*. The discussions they created led frequently to fraud and perjury. Several goods were placed under the same entry for no other reason than to save the stamps. These stamps, which were as high as 40s., he should propose to reduce in future to 4s. He would apply the same principle also to debentures. These were documents given by the custom-house as a sort of security to those who were entitled to drawbacks. He proposed to remove the stamps upon them altogether, because they took the shape of indirect taxes, when they were intended to release the sub-

ject from the operation of direct ones. Such were the direct measures which he should submit to the approbation of the committee, for the relief of the shipping interest. There was another point, however, in which they were entitled to the favourable consideration of parliament, as it inflicted upon them a tax which was partial in its nature and indirect in its operation. He was alluding to the existence of our consular establishments abroad—a subject to which the hon. member for Aberdeen had frequently called the attention of the house. Those establishments were founded upon no fixed principle, were guided by no certain rule. In some places they levied fees on the ships, in others on the goods, and in others, again, on the documents. Then they levied fees on ships with reference to their tonnage; and then on ships without any reference to that consideration, claiming them equally from the smallest and from the largest ships. Not only was there no fixed principle with regard to the payment of our consuls in general, but there was even no fixed principle with regard to their payment in the same country. For instance, at Rotterdam our consul had no salary, but derived the whole of his emoluments from fees; whilst at Antwerp he had no fees, but depended on his salary alone for his emoluments. At Bourdeaux our consul had a salary; at Marseilles he had not; and so on in other places. He contended that to call upon the shipping interest to pay exclusively for consular protection was unfair, and founded upon no just principle. We owed to the shipping trade and to the

individuals engaged in it protection in all their transactions in foreign countries, whether they carried them on under the faith of particular treaties, or in the courtesy usually extended by one nation to another in time of peace. It seemed to him quite as hard to make traders pay for consular protection at the sea-ports of a friendly nation, as it would be to make travellers pay for the support of the ministers whom we maintained at the different courts of the continent. Such being his view of the matter, the course which he advised the committee to take was this—to grant to all the consuls a reasonable fixed salary, and to pay it them out of the public purse. He felt it the more just to adopt this mode of payment, as the consuls were appointed, not only for the protection of the shipping trade, but also for the enforcement of the quarantine laws, and for the supply of information to government on various subjects in which the merchants had no interest, except that which they derived in common with the rest of their countrymen. In the civil list act, which contained a grant of money to the sovereign for life, for the support of the splendour and dignity of his crown, an annual sum of 40,000*l.* is set aside for payment of the consuls. He intended, that as far as that sum would go, it should still remain applicable to the same purpose. A great part of it was paid to agents, who were not merely consular, but who added certain diplomatic functions to their consular capacity; as, for instance, our residents at certain courts on the coast of Africa. He further intended, that the sum

necessary to make up the deficiency should be voted annually by parliament, and that provision should be made for each consul, proportionate to the extent of his business, and the rate of living in the country in which he resided. He had before said that he should abolish all fees which were strictly consular: he should retain, however, certain fees for acts which were extra-consular, and which he did not perform necessarily as consul—for instance, for notarial acts. He would, however, limit their amount: in no instance should they exceed two dollars. He did not mention the amount in English money, because that would be almost impossible; and besides, the dollar was a denomination of coin well known in every corner of the globe. Subject to this general regulation, he would put all the consuls upon one system, and with regard to the other expenses of his establishment, such as the maintenance of the church, the payment of the chaplain, and the support of the other duties of religion, he thought that British merchants would find no difficulty in levying, by a species of voluntary tax, a rate upon themselves, calculated to cover and defray them. If they did find any difficulty, he trusted that the house would subscribe a sum to aid them equal to half the sum which they had subscribed among themselves to pay the chaplain's salary, or defray the erection of a church. These were the means he intended to suggest for the establishment of a regular consular system, in lieu of the varying and uncertain system which existed at present. He knew that in the Brazils and elsewhere relief would

be derived to the shipping interest from this change, and he therefore trusted that the committee would sanction it with their approbation. Connected with this subject was one other measure, which claimed their serious attention; but, before he could enter into it, he must say a word or two on the situation in which the trade in the Levant was placed under the direction of the Levant company. That company was established by royal charter, so far back as the reign of James I. Considerable privileges were bestowed upon it; and in consequence of those privileges, considerable duties were imposed upon it. They were allowed by their charter to appoint all the consuls in the sea-ports in the Levant: they were subsequently allowed by act of parliament to levy duties on all English ships which came to those ports, for the maintenance of their consuls. They were likewise allowed to exercise a certain jurisdiction within the territories of the Ottoman Porte, which was reserved to them by several treaties made between the government of this country and that of Turkey. On looking back to the conduct of the agents of that company for the last two hundred years, he was ready to confess that they had conducted the important and delicate task which had been confided to them with as much tact, ability, and discretion as was possible. Gentlemen would, however, see, that circumstances had recently undergone great alteration in the places consigned to their jurisdictions. That was one reason why they should inquire whether the Levant company should remain intrusted with the power which

which had formerly been intrusted to it; but another equally powerful was this—when a general review of the consular establishments of the nation took place with the intention of placing them all on the same footing, it became the duty of parliament to look at the conduct and management of a company which enjoyed such peculiar privileges. In a political point of view, however, it became still more necessary to consider whether all our consuls ought not to be appointed by the crown. He considered that those public officers, for whose actions the crown was responsible, should be selected immediately by its power. When they considered the nature of the subsisting connexion, and all its attendant circumstances, between these consuls and a trading company, it was natural that some should consider these officers as not free from injurious suspicion in their commercial transactions. It was, therefore, most desirable, when an opportunity arose for altering such establishments, that these consuls should be placed under the direct control of the secretary of state, and considered as the servants of the government, and not of a trading company. As to their profits under the system now about to be revised, he was informed they had been considerable, and that the dues of the consulate amounted to a considerable impost upon the Levant trade, indeed to something like a per centage of one and a half or two per cent. on the total value of that commerce. In a time of peace, and when competition became general, the old Levant system was calculated to impede rather than advance com-

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merce, and necessarily to suggest the necessity of its revision. It was due to the noble lord who was at the head of the Levant company to state, that as soon as this subject was brought under his consideration, he readily showed every disposition to assist, with the feeling of a statesman, and the wisdom of a philosopher, those improved commercial principles, and all the relations connected with them, which had of late been so generally admitted by the country at large. This communication with the noble lord led to the voluntary surrender to the crown, of the charter of the Levant company, which had been enjoyed by them for two hundred years. His Majesty would be advised to accept the surrender so offered; but it could not be effected without the introduction of a bill into parliament to regulate the transfer of the consular appointments on the usual scale. It was also intended, among the other requisite arrangements of this transfer, to assign over the company's funds to the public revenue, and to abolish all those taxes and levies now exacted from the trade of the Levant. When they considered the importance of removing restrictions from this part of their commerce, from its connexion with the east, and the vent which it was likely to afford to British manufactures, there was every reason to hope for a new opening for the operations of that skill and capital already so successfully engaged in this kingdom. Independent of this eventual advantage, they had at once, by the proposed arrangement, secured a benefit for their shipping and commerce in the Levant. He had

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now travelled over the wide field of the commercial relations of the country, and he feared he had trespassed too long upon their patient attention, and that he was not as clear and explicit upon some points as many gentlemen might think necessary. In not delaying this statement until after the recess, he felt anxious to lose as little time as possible in laying before the committee and the country, the commercial policy upon which his Majesty's government were disposed to act. And in bringing it at this time before the committee, he trusted that during the recess, the principles of the proposed alterations in their present commercial laws would be duly and generally considered, not only by those whom he had the honour of now addressing, but by the several interests throughout the country who were likely to be affected by the change. He should be happy to find his propositions attract general notice, and all parties would find him equally happy to hear their communications upon every part of the alterations to which he called their attention—to their suggestions he should be always open, and to their amendments if necessary. All he prayed of the committee was, to take his principles under their protection, without asking for their being prematurely committed as to his details. All he required was their aid, in carrying into effect this great step to the establishment of what appeared to him to be a sounder and better policy than that which preceded it; and that they would evince their alacrity, in following up the wise and gracious recommendation in the speech from the

throne, to remove those inconveniences and restrictions which affected the commerce of the country, and to place it upon a surer and better basis of general prosperity. In showing the world that they were not backward in taking this necessary step, he was convinced they would be promoting a great and indispensable public benefit. The right hon. gent. concluded, amid loud cries of "hear," by moving a resolution "That it was the opinion of the committee, that all duties upon the several articles hereafter to be named, should cease and determine, and others be substituted in their room."

Sir Hussey Vivian admitted the value of many of the new commercial principles upon which government were about to act, although he confessed his regret that he could not concur in all the details of their operation; for instance, he must protest against the proposed alterations of the foreign copper duties, which, if carried into effect, would ruin the mining trade of Cornwall. He described the present state and extent of the latter, and the capital sunk in its arrangements. There was a capital in the copper mines of above £440,000*l.*, which gave employment to from 70,000 to 100,000 people. It was, he thought, capable of demonstration, that if they let in the foreign copper from South America, for instance, upon this trade, the British mines must be ruined from the greater expense incurred by them in working the material. He was perfectly aware that many of the foreign mining companies would bring ruin on themselves. This rage for joint stock compa-

nies had become as ridiculous as it was mischievous. They had milk companies, and bread companies, and they would next have shoe and tailor companies. All these speculations, however ridiculous in themselves, were very prejudicial to the particular trades against which they were directed, and ought, as much as possible, to be discouraged. At all events, respecting the copper duties, he trusted the right hon. gentleman would give the interests likely to be affected by it an opportunity of having their objections examined in a committee, before he finally concluded upon the measure.

Sir M. W. Ridley, though he agreed with the main principles propounded by the right hon. gentleman, yet was unable to carry his approbation to all his details. The first duty which the right hon. gentleman had proposed to alter was that upon the introduction of foreign bottles: but he ought to recollect the peculiar disadvantages which he would thereby inflict upon the British trader in the article, when he considered the injurious competition which that trader had of late years endured, from the new calling that had sprung up by dealers in second-hand bottles. Gentlemen might laugh, but they would not, if they knew the extent to which this second-hand trade had been carried. But if, in addition to the existing inconvenience, the foreign bottles were to be sent into the second-hand market, then the British manufacturer would be entirely outdone. The right hon. gentleman had, however, said, that one of his great objects was to leave the raw material of manufactures as free as possible. He

hoped he meant to give a liberal application of this principle to the glass-trade. Kelp, for instance, entered considerably into the material of that manufacture, and was only, under the operation of the existing laws, to be had from Scotland. Without meaning to offend his northern friends, he was sorry to say, that their kelp was so bad as to injure the glass manufacture materially by producing a deteriorated article. Unless, therefore, the right hon. gent. consented to revise this part of his proposed arrangement, he (*Sir M. Ridley*) should be under the necessity of making it the subject of a specific motion.

Mr. Baring expressed his satisfaction at the adoption by his Majesty's government of the leading principles of that commercial system of policy which they now professed to support. He was aware that such great changes could not be effected without materially affecting existing private interests; but this must always occur when they were returning to sound principles. A peculiar service, as it was called, to one interest, led to the same benefit to another, until the whole system became at length artificial and injurious to the general mass. What he most approved in the right hon. gentleman's proposed alteration was, that it went upon general principles, without regarding private interests. Those would of course oppose whatever they thought interfered with their own particular views; for instance, they had already heard claims put in for specific exemption on the part of several manufacturers. An hon. and gallant officer (*Sir H. Vivian*) had touched upon the copper

copper trade as being unfairly affected in comparison with others. Upon this allusion, all he (Mr. Baring) should at present say was, that so far from thinking copper had been unfairly pressed upon, and particularly in comparison with iron, he really thought that the Cornish miners had been knocking at the door of the treasury, and had succeeded in securing for themselves an unequal advantage. The hon. and gallant officer was mistaken when he supposed that copper did not enter as generally as other metals into the manufactures of the country; in fact, it did more at present, when they considered how essential an article it was in the construction of that greatest of all instruments now in operation—the steam engine. With respect to the great question of the corn laws, he was not prepared to say much at present. Indeed, nothing, under existing circumstances, would tempt him to touch that subject at the present moment, without examining closely the effect of any change; for, after all, they must consider, that in a time of peace, other countries had the same opportunities which Great Britain had, of acquiring and improving skill and labour; and the time would no doubt arrive when the development of such general improvement would call for a full examination of the corn laws. This was not the time for entering into the general principles of political economy, but he could not help expressing his opinion, however it might differ from that of jurists in the study, that the low price of labour was not a conclusive criterion of the capability of a country for manufacture: let

them look at Ireland for instance; they saw there the existence of labour low enough, but still with it was a mass of poverty and wretchedness, and a struggling manufacture. They had not at present enough of practical information before them to enable them to judge with accuracy the effect of the competition between articles of French and English manufacture: he did not think that the alleged experiment of the silk trade had yet had sufficient time to develop itself. On the whole, the country would generally, he had no doubt, profit by the proposed change, and therefore it must be deemed advantageous. He hoped also that its liberal spirit would be followed by other states with a reciprocity of feeling. He entirely approved of the new arrangement respecting the Levant company and the consuls, and would be glad to know why the Russian company, the existence of which, from its exclusive regulations, was a great injury to general trade, was overlooked by the right hon. gentleman? When the bills, however, were introduced in detail, it would be time enough to enter into further particulars. Before he sat down he must remark, that unless English books were published at an inordinate profit, they could not, he apprehended, bear the competition of the French on the proposed plan.

Mr. Littleton expressed the greatest apprehension for the potteries of Staffordshire, if the right hon. gentleman's plan was carried into effect. He knew that the right hon. gentleman had a difficult task to perform—he had the iron, the copper, the second-hand bottle dealers, and now the pot-

teries to contend with. He had also to complain, in the strongest manner, in behalf of the manufacturers of earthenware. It was well known that the manufacturers had lately made great improvements in the article of ornamental china, which, he feared, would not be able to endure competition with the French on the suggested plan. He earnestly hoped the right hon. gentleman would allow these important interests to state their case, before he finally decided upon matters which so seriously involved their business.

The Chancellor of the Exchequer said, that the duty on copper had been increased from various motives of policy and protection. In 1809 it stood at 54*l.* per ton. It was proposed to reduce the duty imposed since that period only. The owners of mines need be under no apprehension: the monopoly which had resulted from the high duties was accidental; but it would really be no loss to them; and the good people of Cornwall might assure themselves, that under the reduced duties they would still be able to dispose of all the copper which their engines and industry could dig out of the earth.

Mr. Tremayne said, that the Cornish mines could never compete with the cheaper products of the copper-mines of South America without an adequate protecting duty. The right hon. gentleman might judge of that by this fact—that in five years from 1805, there were 119,000*l.* more expended than produced in the copper-mines of Cornwall.

Mr. Gipps dreaded the effect of lowering the duties on woollen goods from 50 to 15 per cent.

Foreign cloths were already imported here for shipment to South America. This was the effect of the warehousing system, of which in itself he did not complain. But the British fabrics, burdened with heavier charges in every way, could not compete with the foreign articles; and at 15 per cent., large quantities of woollen goods, especially coarse woollens, must find their way to British consumers. He wished that the right honourable gentleman would begin with lowering them to 20 per cent. in the first instance. He admitted the advantage to the British manufacturer in lowering at the same time the duties on dying materials, but this was not a sufficient equivalent for bringing down the duty on the goods themselves to 15*l.* per cent.

Mr. Lindsay said a few words in favour of retaining a higher protecting duty for Scotch manufactures, or, in the alternative, of lowering the duties considerably on raw produce—on silk, hemp, and cotton.

Sir R. Fergusson agreed in the propriety of doing away the prohibitory duties: but the proceeding should be of a cautious nature. Every thing should be done to sink the charges of the raw material. How else could British linens, for example, compete with those of Germany, and the new manufactures of New Orleans, both of which must produce them cheaper? He strongly pressed upon the consideration of the chancellor of the exchequer the necessity of reducing the duties on hemp and flax, and allowing hemp to be mingled with the poorer flax, to make bagging for bringing home cotton.

Sir

Sir R. Vyvyan could not anticipate very favourable consequences from lowering the duty on copper. It ought to be understood that unless copper fetched 100*l.* per ton, it would not pay for mining; and as it would be impossible for Cornwall to compete with the large and cheap products of the South American mines, three-fourths of the people of that country, now dependent on their work in the mines, would be undone. He dreaded the rivalry of the Dutch in the article of tin, who protected it at home by a duty of 100 per cent. Adverting to the duties on books, he thought that something ought to be done to prevent English copyrights from damage by the importation of foreign printed copies at the low duty. He instanced the neat editions of the Scotch novels got up by Galignani, at a very cheap rate, and continually brought into this country.

Mr. Huskisson said, that the hon. baronet was in a mistake as to copyrights. No one could bring in copies printed abroad without being subject to an action for damages upon every copy of a copyright publication. It was true that the delightful works of "the great unknown" were printed and sold in every city of Germany and France. He had seen them at Frankfort in every bookseller's shop. But there could be no danger from this circumstance to the property of a copyright. With respect to other books, it was not for the interest of literature, nor for the advantage of genius, that books should be kept out of the English market, because they could be printed cheaper abroad. All that could be asked would be

an equivalent for the superior charges to which he was subjected by the tax on the materials. With respect to the duty on copper, concerning which some apprehension had been expressed, as if he threatened to return to the same subject next year, he had been entirely mistaken. His meaning was, that if the price of copper should be kept up, and the market continue to be closed against foreign copper, that then the duty must be lowered still further, until the foreign copper could enter the English market; and he was convinced that this would actually prove a benefit to the mining interests of Cornwall.

Mr. J. Benett trusted there would be no objection on the part of government to repeal the existing duties on the export of wool; but he hoped, also, that the duties on the export of yarn would be lowered to the same amount. At present, the export of yarn was very considerable, but that of wool was but trifling. He thought, also, that with a proper regard for the landed interest, the duty on imported corn might be safely lowered to precisely the ratio of difference between the expense of cultivation in this country and abroad: but it should not exceed that ratio.

Mr. Hume said, that he had addressed a question on a former evening to gentlemen on the other side, which he had rather expected to hear answered this evening. Was it the intention of his Majesty's government to adopt any alteration in the present timber duties? The right honourable gentleman had on a former evening stated his intention to effect a change in the duty on imported

Canadian corn—a change which he (Mr. Hume) highly approved of; and since these facilities had been given to the trade with that province, he thought the present time would be a very proper one for the reduction of the duties imposed on foreign timber for the protection of the Canadian. The lowering of the corn duty was a great advantage to the trade of the province in question; and now that they were giving such a boon to one trade, they ought to give boons to others. Among other alterations of duties suggested by the right honourable gentleman, he (Mr. Hume) understood that it was intended to make the duty to be laid on foreign gloves, which had been hitherto prohibited, 80 per cent. If so, he would only say that he had not the least doubt in the world but that this article might be imported into England, by insurance, (that was, it might be smuggled) at the rate of 20 per cent. So that if this duty was to be imposed at 80 per cent., it would certainly have the effect of keeping up smuggling. It would be found more difficult to prevent smuggling hereafter than now, and it was proper that the regulations of government should keep this point in view. On the subject of the corn laws he must say, that highly beneficial as the discussion of that night must be, and important and valuable as the alterations of duty were that had been already proposed, all that had been done on this occasion would be as nothing to the people of England, compared with a careful and proper revision of the corn laws. He did hope, therefore, that his Majesty's government would forthwith take into their

consideration the important benefit to be derived by the public from an effectually changed system in this particular. As to the amount of the duty that ought to be settled, he, for one, would declare that, provided only the legislature would come to, and establish some sound and proper principle on this most important question, he cared not whether it should be a duty of 10*l.* of 15*l.* or of 20*l.* per cent. Being once in the right path, it was certain that they would soon come to the proper scale of duty.

Mr. Huskisson begged to remind the house that he had not said one word to-night on the subject to which the hon. gent. (Mr. Hume) had just alluded; and he did not intend to-night to do so. As to what had been said by the hon. member for Wiltshire (Mr. Benett), he (Mr. Huskisson) thought there would be no objection to enter into some such arrangement about the duty on wool as the hon. gentleman proposed. About altering the duty on yarn, however, he should certainly feel a very considerable difficulty; for yarns, under the present duty, went out of the country to a large amount. As to the iron trade, which another member had spoken about, the fact was, that the present duty on old iron was 17*s.* 6*d.* per ton. This sort of iron was that which in the trade was known by the designation of scrap iron, and the duty in question he should propose to reduce to 12*s.* a ton. If he were to make too great a difference between the duties on the two sorts of iron, there would be an endeavour to bring all the species under the operation of the duty affecting this inferior

inferior description. With regard to the timber-trade, he was surprised that the honourable gent. (Mr. Hume), who had the other night presented a strong petition to the house in favour of the reduction of the duty on Cape wines, on the ground of their being the production of one of our own colonies, should now argue, in fact, against the protection afforded to the timber trade of Canada. Why, he must recollect that Canadian timber, considering that it grew in one of our own colonies, and was transported in our own ships, was a most valuable trade to Great Britain: and as a further argument why the existing duties on other timber should not be further reduced, he (Mr. Huskisson) would just observe, that there was no trade which, by reason of increased demand, had lately attained a more improved and prosperous condition than the trade in Baltic timber. His right hon. friend the president of the board of trade would shortly be able to consider the proper steps to be taken for equalizing the duties on timber, which, he believed, would be the same as those that were now pursued in Ireland, where the mode of estimating such duties was by tale, instead of by estimation, of the quantity of timber contained in any given number of planks. In conclusion, the right hon. gentlemen begged to repeat, that he could not accede to the suggestion of the hon. member for Montrose, inasmuch as no trade was more flourishing at present than the rival trade (as, with respect to Canada, it might be called) of Baltic timber.

The house then resumed; and the chairman having reported pro-

gress, the report was ordered to be received on Monday next.

The dissenters' marriage bill was then read a second time, and ordered to be committed on Tuesday next.—Adjourned.

House of Lords, March 29.—*Lord Holland* presented a petition in favour of the equitable loan bill, from 45 poor persons who had suffered loss, in consequence of pawnbrokers' shops being burned, and particularly by a fire which destroyed the premises of a pawnbroker in Saffron-hill. Only two of the persons from whom the petition came, his lordship observed, had been capable of writing their names; the rest had signed by their mark. These poor people had suffered considerable loss of property, and complained of the high rate of interest which they had to pay to pawnbrokers. The noble lord read a letter from the person from whom he had received the petition, in which it was stated that the rate of interest paid to pawnbrokers was 200 per cent. He was himself far from wishing to encroach upon those general principles which favoured competition, and the right of every one to speculate with his own money; but he thought it his duty, considering the situation of the petitioners, to call the attention of their lordships to the statements in the petition.

The Earl of Lauderdale said, that the pawnbrokers had reduced the rate of interest they used to charge.

After some conversation between *Lord Holland* and *Lord Lauderdale*, the petition was laid on the table.

House of Commons, Mar. 29.—*Mr. Canning* moved that the house,

house, at its rising to-morrow, should adjourn to Thursday, the 14th of April.—Ordered.

Mr. Huskisson rose, with great regret, to call the attention of the house to a subject that was of the highest importance to the commercial interests of this empire, but which, in consequence, he apprehended, of some misconception that prevailed among certain classes in this country, in respect of a legislative proceeding of the last session, repealing the combination laws, seemed likely to be attended with most inconvenient and dangerous consequences. He certainly considered that the parties immediately interested in that proceeding had been subsequently acting under a misconception of the intentions of the legislature: and in the motion with which he meant to conclude this evening, he did not propose to suggest that the old laws against the combinations of workmen and labourers against their employers should be again put in force. Those laws were, many of them, oppressive and cruel in their operation on workmen; and he had always advocated the principle of allowing every man to dispose of his labour to the best advantage, which principle they in very many instances directly violated. The right honourable gentleman then proceeded to advert to the bringing in of the 5th of George IV. c. 95, and to the avowed objects of that bill. He felt himself bound to admit, that in principle those objects seemed to be perfectly fair and proper to be established as between workmen and their employers; but he was satisfied that they were not so in practice. Moreover, he doubted whether

the act in question, as long as it should continue to exist, would not have a strong tendency to keep up between workmen and their employers a spirit, on one side of alarm, on the other of distrust. But he wished to review the course and effect of that proceeding. It commenced by a motion introduced by an hon. gentleman on the opposite side of the house, who pointed out the hardships to which, under the then subsisting laws, journeymen and others were liable; and there could be no doubt, that in too many cases, those laws were in a great degree unjust and prejudicial in their operation. A committee was certainly granted to the motion of the honourable gentleman, in which it was proposed to go largely into evidence and inquiries on these topics. It was a very full committee, consisting of about fifty members; and it undoubtedly examined a vast variety of evidence upon all questions connected with the main intention of its labours. The result of those labours was—not that a report was made to that house, (which, as he thought, would have been the most desirable course,) stating the grounds upon which the committee had come to the conclusion of recommending the introduction of their bill, and thereby affording to the public, and in a more especial manner to parliament, the necessary information as to the motives which induced them to recommend such a change of the existing law; but the result was, that the committee adopted finally a string of resolutions which involved no such statement whatever. He should inform the house that he (*Mr. Huskisson*) was himself a member of that committee; and perhaps

perhaps he ought to mention that circumstance with considerable regret, owing to the fact of numerous other engagements and avocations of an official nature, in which he was all that time extremely busied, having prevented him from paying that degree of attention to the business of the committee which he could have wished to do, and which the importance of its inquiries most undoubtedly demanded. To the same causes he must refer the indulgence of the house, while he stated that they had equally precluded him, when the bill in question was brought into the house, from considering it with all the attention and care in its various stages that it deserved to be considered with. And he might go further, and express his regret that those of its enactments which were of a legal nature had not, possibly, been discussed with all the technical knowledge which might have been beneficially applied to them by those hon. and learned friends of his, of whose professional learning in ordinary cases government had the benefit. The consequence of all this had been, that some of the provisions of the bill, which afterwards passed into an act, were of a very extraordinary nature. Not only did the bill repeal "all" former statutes relative to combinations and conspiracies of workmen, but it even provided that no proceedings should be had at common law on account of any such combination, meeting, conspiracy, or uniting together of journeymen, &c., for, in fact, almost any purpose: and thus, by one clause, it went to preclude the possibility of applying any legal remedy to a state of things which might become, and which had since become, a great

public evil. Now this fact was the more curious, inasmuch as the hon. member who introduced the bill into parliament, had himself taken occasion to state, both in that house and in the committee, on what he considered to be legal authority,—and he (Mr. Huskisson) in common, he was sure, with every honourable gentleman who heard him, would readily allow that the honourable member for Peterborough (Mr. Scarlett) was indeed high legal authority—that if all the statutes relative to combinations were to be repealed, he thought the operation of the common law alone would be quite sufficient to repress, among workmen, any dangerous and injurious tendency improperly or violently to combine against their masters. The bill itself, however, repealing forty or fifty acts of parliament, and in this singular manner putting aside the common law altogether, was brought into the house at a late period of the session; passed through its first stage, subsequent to the first reading, on Wednesday, the 2d of June; and on Saturday, the 5th of June, only four days after the second reading, and in the same week, was read a third time and passed, without any discussion. The measure was therefore hurried on with as much expedition as was usually applied to the most pressing bills. To the honourable gentleman himself he imputed no blame for thus speeding his bill through the house of commons. Looking to the advanced period of the session, and the discussion which it had received in the committee, it was natural enough that he should desire it to go through the house with all this expedition. But since the

the passing of the act in question, it had happened to him in his official capacity to receive information of the conduct adopted by bodies of workmen in various parts of the country. They were, many of them, very painful accounts; and to a right hon. friend of his (Mr. Peel), numerous reports had been forwarded, detailing acts of outrage and violence, on the part of workmen combined against employers, of the most disgraceful character. His right honourable friend had permitted him to inspect those reports; and he could state that they manifested, in all those classes of workmen who had misconceived the real object of the legislature in the late act, a disposition to combine against the masters, and a tendency to proceedings destructive of the property and business of the latter, which, if left to itself, and permitted to remain unchecked, must terminate in producing the greatest mischiefs to the country. Indeed, those mischiefs were rapidly growing in some districts to so alarming a pitch, that if their progress were not speedily repressed and interrupted, they would very soon become rather a subject for his right honourable friend to deal with in the exercise of his official functions, than for him (Mr. Huskisson) to call the attention of the house to, in this manner. These things could not remain much longer in their present condition, unless parliament should interfere to place them on a different footing; for otherwise, his right hon. friend (Mr. Peel)—armed as he was by the state, with the authority of calling into aid the civil power (where that proceeding was rendered necessary by the urgency of

the case), for the protection of the property and liberty of the king's subjects—must so interpose against what he (Mr. Huskisson) could not but consider a very formidable conspiracy in certain bodies of men, calculated to place that liberty and property, and perhaps life itself, in great jeopardy, as regarded certain individuals who employed large numbers of labourers and journeymen. But by a timely inquiry into, and consideration of, this subject, parliament might be enabled to deal with it as with a question merely of commercial polity. He wished to treat it as a question, on the one hand, of the freedom of labour, looking to the right which every man naturally claimed to exercise over his own labour; and on the other, as a question upon the effect of those principles that had formerly prevailed in this country with regard to the right in those claiming this freedom of labour of interfering with, and exercising a control over, parties largely employing such labour. But he must beg to repeat his conviction, that if parliament did not very soon interfere to reconsider the whole of this question, in all these branches, they would find that the evil which was already existing would quickly attain an extremely mischievous height. They would then be obliged to apply to it other means and another remedy. If such should unfortunately ever be the case, he did hope that his right hon. friend would not only not be backward to employ those means and that power with which he was vested for the removal of the evil he spoke of, but that the right hon. gent. would, if necessary, apply to parliament to be furnished with further

further powers to prevent the baneful operation of a tyranny (as he, Mr. Huskisson, must call it), that was now exercised over a great proportion of the property, and the liberty of some of his Majesty's subjects, in many parts of the country. While he thus designated the character of those combinations which had been so extensively formed by men who were obviously proceeding altogether in error, he did trust, that on account of what he had been saying, he should not be considered as a person who was at all hostile—nay, who was not friendly—to the right of labour—to the right which every man, generally speaking, had to dispose of his labour and skill to the best advantage, or as he might think proper. As a general principle, he undoubtedly thought that every man had a fair inherent right to carry his own labour to whatever market he liked; and so to make the best of it. And accordingly, he had always maintained that labour was the poor man's capital. But then, on the other hand, he must as strenuously contend for the perfect freedom of those who were to give employment to that labour. Their's was the property which rendered that labour necessary; their's was the machinery on which that labour has to be employed; their's was the capital by which its employment was to be paid for. At least, therefore, they were entitled to an equal freedom of action. And that property, that machinery, and that capital ought to be as sacred and unfettered as the labour which was the admitted property of the workman. If their right and title and freedom in all these matters

could not be sustained; so neither could there be kept and retained in the country the means of employing labour; and the workmen themselves would be the victims of a delusive system of attempted influence and intimidation over the employers. He would not unnecessarily detain the house by entering at any length into details to show that such a system was, in several quarters, being now acted upon. Meetings had been held and associations formed in different parts of the country, which, if persevered in and prosecuted successfully, must terminate in the ruin and destruction of the very men who were parties to them. Now as to the individuals who had adopted measures of this kind, it might not be immaterial to advert to one or two papers that he held in his hand, which pretty clearly developed what were their own views, and what their own proposals, in respect of this right which they had assumed of interference with the property and the concerns of their employers. The first which he had with him was entitled "The articles of regulation of the operative colliers of Lanark and Dumbarton." The second was a similar production of "The Ayrshire association:" and he could produce a great number of such rules and articles and regulations, each body of them absolutely forming as regular a constitution as any of those which we were now almost daily reading of as arising from the new governments that were springing up in every part of the world. These associations had their delegates, their presidents, their committees of management, and every other sort of func-

tionary

tionary comprised in the plan of a government. By the 9th article of one of the sets of regulations, it was provided, "that the delegates from all the different works should assemble at one and the same place" on certain stated occasions: so that the house would perceive this provision regarded not a combination of all the workmen of one employer against him, or even of one whole trade against the masters; but something more formidable and extensive in its nature—namely, a systematic union of the workmen of many different trades, and a delegation from each of them to one central meeting. Thus there was established, as against the employers, a formal system of delegation—a kind of federal republic, all the trades being represented by delegates, forming a sort of congress. Another regulation was to this effect—"Each delegate shall be paid out of his own work" (the earnings which he was to be permitted to make, and of which a portion was subscribed by every member having employment for the purposes of these associations), "with these exceptions only—the president" (or the head of this government), "the secretary, and the treasurer are to be paid out of the general funds." "The delegates are elected for six months, and may be re-elected." So that here was a tax levied upon each workman for the maintenance of general funds applicable to purposes of this mischievous character. But he would next particularly call the attention of the house to the 11th article; inasmuch as it very clearly demonstrated the real meaning and intentions of the societies thus

constituted. "It is the duty of these delegates, first, to point out the masters they dislike." A duty in itself sufficiently dangerous and illegal. "Secondly, to warn such masters"—of what?—"of the danger in which they are placed in consequence of this combination." Here, therefore, was an acknowledgment of the danger of such associations, admitted by themselves. But let the house observe what followed: "And, thirdly, to try every thing which prudence might dictate to put them (the masters) out of the trade"—not, let it be observed, every thing which fairness and justice might dictate to workmen who sought really to obtain a redress of grievances; but every thing which "prudence" might dictate. In such a position "prudence" must be understood as implying merely that degree of precaution that might prevent the "union" from being brought within a breach of the law—such as the crime of murder, for example. Why, was it fit, or right, or reasonable, that persons engaged in commercial or other pursuits—such as mining, for example—should, by combinations thus organized, and advancing pretensions of this kind, be kept in constant anxiety and terror about their interests and property? In order to show how regularly organized these bodies were, and how they proposed to exercise the mischievous tyranny that he complained of, over such masters as might happen to be placed within the sphere of their control, he would just allude to the 13th article:—"These articles may be modified and altered at any meeting of the delegates; and if sanc-

tioned

tioned at such meeting by two-thirds of the delegates present, they shall be final. The power of levying money from all the members of the association must be left to the general committee." So that these were not to be voluntary, but compulsory contributions, actually "levied" upon all the parties to the union. "All laws passed at the meetings of the delegates will be binding on all whom those delegates represent." Now, one of these laws was, "that there should never be allowed to be any stock of coals in the hands of any of the masters;" because, if such stocks were allowed, they would be less dependent on the workmen, and might possess some means of rescuing themselves from the tyranny and control of this association or union. Other associations, however, were governed by regulations, if possible, more extraordinary. One of these regulations was, that no man coming into any given district or county within the control assumed by the associating parties, should be allowed to work, without being previously amerced 5*l.* to be applied to the funds of the association. And another of the regulations was, that any child being permitted to work or assist (as, for instance, a man's son), should at ten years old be reckoned a quarter of a man, and pay a proportionable amercement accordingly. In like manner it was provided, that any man being called in by any collier to his assistance, should not be at liberty to work under him, unless previously adopted, like the collier, by the society, and unless, like him, he should have previously paid his 5*l.* Now in this part of the empire there

could not exist any doubt whatever, looking to the artificial situation in which this country was placed in regard to many of its institutions, and particularly with regard to the poor laws, that parties, who were liable some day or other to become reversionaries on that immense fund, had no right to take measures that had an obvious tendency to throw them on that fund, and so increase the burden which its support imposed upon the country. And, without desiring to restrict the right or choice of any individuals as to the legal disposal of their means, he could not help asking whether this amercement of 5*l.*, and this subscription of 1*s.* a week to the funds of the association, which every member of it was called upon to pay and contribute, would not produce to each of the parties, if placed in a saving bank, far more beneficial and advantageous results? What could be the meaning or motive of creating all those presidents, and permanent committees of management, if there were not among these combinations many persons anxious for the enjoyment of the power and distinction which they considered the attainment of certain posts like these would confer upon them? And was it not in human nature almost an invariable principle, that in all contests for all kinds of power, the most artful were those who usually obtained their object and seated themselves in places of authority? This consideration rendered it still more necessary to look narrowly at the constitution of these assemblies. Another of their rules was, that every measure to be adopted should previously undergo a full discussion,

cussion, and that the majority should bind the rest,—a very proper rule in debating societies, no doubt; and one, he believed, very generally adopted in them: but it was one, that under these circumstances he could not approve, as thinking it to be, in its consequences and application, inconsistent with that power, that freedom in all external control, which the masters or employers were certainly entitled to in the administration and management of their own property. That he (Mr. Huskisson) had not over-stated either facts or their possible effect, the 22d of the articles from which he had been reading would sufficiently show: it was conceived in these terms;—"that no operative, being a member of this association, shall be at liberty to engage himself for any given time or price, without the consent of the committee of management." Why, if a system of this kind was to extend itself through the "operative" population engaged in all the different branches of mining, manufactures, navigation, and shipping in this country, in what a painful situation would every body concerned be placed? Who would, for an instant, endure a control of this oppressive, of this destructive nature? Yet such a control, under the prevalence of such principles, might exist: and when he said it might he was sorry to add that it did exist. For example, it existed in that most important branch of our commercial greatness, our coasting trade. There had been a society formed, called the "Seamen's Union." The principles and object of this combination had been promulgated in the form of a little dialogue—not

the less interesting, be it observed, on that account, to those whom they were addressed to. In this, as in other concerns, it seemed that the association had come to the determination of not submitting to the authority of any persons whom they had not among themselves appointed or approved. He (Mr. Huskisson) would here ask, in relation to doctrines of this sort, how it would be possible to carry on business in mining concerns, for example, if the workmen themselves should have appointed all the overseers under whose superintendence they were employed? In the same manner, however, it appeared that they who were employed as seamen in the coasting trade would not put to sea unless all the rest of the crew were members of their union. Having stated to the house that it was positively one of the articles agreed upon by this union that men thus employed should do nothing which they had never before been called upon to do as seamen (but which it was quite evident it might be very material on particular emergencies that they should do), let the house observe the mischiefs that must come from such a regulation. He could state to them, if it were necessary, a case that had occurred very recently, in which a vessel (coal-laden) got on a sand-bank at the mouth of the river. It became necessary to have her ballast shifted; but it happened that one of the regulations to be found in this dialogue between Tom and Harry, purported that it was unworthy a seaman to assist in shifting ballast. The consequence was, that on the occasion he was speaking of, all the men were in a state of insub-

ordination and mutiny; and if some craft had not come up to the vessel's assistance, it was impossible to say what consequences might have ensued to her. As soon as the ballast had been shifted by the craft's hands, the men, immediately returned to their duty, and navigated the vessel as before. What was the result of their refusal to shift the ballast, however? The men in the craft who had performed that service claimed salvage. A sum of 200*l.* was awarded to them on account of salvage, which of course the owners were obliged to pay, the salvors themselves unanimously declaring that the danger of the ship and cargo salvaged was occasioned by, in fact, the adherence of the crew to one of the rules of this Seamen's Union. If any man after this, could be found to affirm that such principles and such conduct were not matter for the interference of parliament, he (Mr. Huskisson) would only say, that parliament had better at once resign every idea of giving any protection at all to any species of property. He was really not surprised, notwithstanding, when he looked at the way in which this act of last session was worded, and the artful misconstruction that might easily be put upon it by those who best knew how to mislead and deceive the men who had engaged in these combinations; that those men should have erroneously supposed their proceedings to be warranted under this act. The act, as he had before intimated, repealed all former statutes, and so on; and then enacted that no proceedings at common law should be had by reason of any combinations or conspiracies

of workmen formerly punishable under those repealed statutes. The house would perceive that the second section declared, "that journeymen, workmen, and other persons, who shall hereafter enter into any combination to obtain higher rates of wages," and so forth; "or to regulate the mode of carrying on any manufacture, trade, or business, or the management thereof, shall not be subject or liable to any indictment or prosecution for a criminal conspiracy or combination, or to any other proceeding or punishment whatever, or under the common statute law." Would not any body on reading this sentence, suppose it was something really fit and almost commendable for workmen to combine and conspire together to regulate and control the management of any manufacture? And accordingly, (without imputing on the framers of the bill the slightest idea on their parts that such a misapprehension could ever be entertained), he did not doubt that a great proportion of the associated and combined workmen in the country did actually believe, that so far from violating the law, this clause proved that they had been only pursuing a course that was strictly conformable with the meaning of the legislature. If, then, it was only to set these men right, it would be highly proper that some inquiry should be forthwith instituted with this view, and that the committee charged to make it, should report to the house what would be the most eligible steps to be adopted in consequence. He would next offer a word or two on the fifth section of the same act. That provided, not that any such combination

bination or conspiracy should be visited with any punishment, or be made matter of legal cognizance, but "that if any person shall hereafter by threats deter a man from his hiring, or engage in any combination or conspiracy to destroy any machinery, goods, wares, or merchandizes, he shall, upon being convicted of such offence before a magistrate, on the evidence of any two witnesses, be punished with two months' imprisonment." Now, it surely did not require any act of parliament (he was speaking, however, in the presence of his hon. and learned friend the attorney-general, who would correct him if he was wrong) to declare that to deter a man by threats from his hiring, or to destroy, or combine and conspire for the destruction of goods or machinery, was an offence to be made punishable in a certain way, upon conviction. Such acts were already offences by the law of the land, independent of any thing like combination; and in so far, at least, the declarations and provisions of this act were quite supererogatory. By the law of the land some of these offences would be actual felonies; others high misdemeanours. It was equally extraordinary that the act should require the conviction to be on the oath of two witnesses—two witnesses being necessary only in cases of high treason and perjury; and that the punishment should be limited to two months' imprisonment. Therefore, here was a law that contemplated certain offences which had in themselves nothing (necessarily) to do with the offence of combinations—which regarded quite different questions. But under this act—

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"plotting together for the destruction of machinery"—threatening even, which proceeded to menace of life or property, were no longer any criminal offence whatever; and thus, by repealing the combination laws, the acts of plotting and threatening were rendered no criminal offences at all. Under these circumstances he must consider that the law of which he had been speaking was not adequate to put down an evil which was increasing to so formidable an extent; not the evil of committing the other offences to which the act had so particularly adverted, but the evil of workmen being permitted to plot, and the bold open avowal of their intention to carry such permission (as they presumed it to be) into effect, in the kind of manner he had pointed out to the notice of the house—a manner, the most destructive, perhaps, which it was in their power to devise, to the property of their masters and employers. He did conceive that if these misguided men could be induced, for one moment, to reflect upon what must be the inevitable consequences of the course they were pursuing, they must see that such a course of proceeding, if continued, would render it impossible for any body to embark his capital under risks so great as those which he had pointed out; or to submit its application to a system of tyranny and control that nobody with capital would for a moment choose to endure. If they would reflect on these facts, they would perceive the impossibility of their being left at liberty to pursue the career of violence and combination in which they were now proceeding; and that they

they must soon cease altogether to procure employment for their own subsistence. For so soon as they persevered in their measures, capital must desert the districts in which they were carried on; and ultimately, unless the evil was arrested, the kingdom itself for other countries. He would only add, that he would recommend to those who employed numerous workmen, not lightly to submit to such extravagant pretensions, and to feel assured, that if the present prevailing misconception of the law should be thought by the workmen to justify those pretensions, the magistrates would give the masters their support against any such demands. If that support should be found still inadequate, his right hon. friend would not fail to afford them such further assistance as might be necessary to protect them from those measures which had so fatal a tendency to destroy the property of the employers, and to dry up the sources of labour to the workmen. In what state the law as to combinations should be put—whether the last act, repealing all the old statutes, should in its turn be repealed altogether, or not, he was not at present prepared to suggest, and had not in his own mind determined: but the necessity for inquiry did not seem on that account the less urgent. He should be very sorry to see all those laws, which were formerly in force on these subjects, renewed; but it might be extremely well worth their consideration to ascertain whether something at least more definite and effectual than the existing statute could not be devised—something that might prevent the evil he had been de-

scribing from extending itself any further than the point to which it had already arrived. This was a question that deserved the most serious attention of the house. In the mean time, he felt that in having submitted these matters to their consideration, and calling upon them in virtue of the situation which he had the honour to fill, to give a more effectual protection, forthwith, to the property employed in the hire and application of labour, and also to the labour applied to the improvement and increase of property, he was acting conscientiously in the discharge of what he believed to be his public duty. He did still indulge the hope, that by the timely interference of parliament they might yet prevent that interruption to the public peace, which must infallibly be the consequence of their remaining any longer inactive spectators of a mischief that was rapidly increasing, and that if not speedily arrested, must be followed by the most disastrous results. He had trusted, that whatever might be the first ebullition of the feelings of the workmen on finding themselves emancipated from some of the grievous restraints imposed by the old laws in question on their industry and encouragement, their own good sense would have instructed them to withdraw from a path so fraught with difficulties and dangers as that which they had so unwisely adopted. That anticipation he could now, unhappily, no longer indulge. It was with the hope of thereby doing justice to both parties—the workmen and their employers—that he now moved “for the appointment of a select committee to inquire into the effect of the act

of the 5th Geo. IV., cap. 95, in respect to the conduct of workmen and others in different parts of the united kingdom: and to report to this house their opinion as to how far it may be necessary to repeal or amend the provisions of the said act." He was aware that in making this motion he might expose himself to much obloquy, and the expression of much dissatisfaction among some of the parties it related to; and particularly in a place where he was most anxious to stand well, and among those who had sent him to that house. However this might be, he had only to do his duty fearlessly and properly; and he had no doubt that upon a little reflection, the same parties would be among those who would feel most obliged to him for having, in this instance at least, performed it.

Mr. Hume, having watched with great care the progress of the act in question, entered into a defence of the conduct pursued by the committee which had framed the original bill. At the same time he should be very sorry not to declare now, as he had done before, that in his view of the matter the workman referred to had very much misconducted themselves. To the committee, two courses of inquiry presented themselves, first, as to the effect of proceedings instituted against workmen under the old combination statutes; and, secondly, as to the effect of proceeding against them at common law: and every member of the committee was agreed that the proceedings at common law were tenfold more oppressive than under the statutes. The honourable gentleman then recapitulated the

substance of the resolutions which the committee had sent in to the house; and which were the foundation of the bill. He vindicated the tenour and language of those resolutions; observing that on former occasions there had been combinations of a much more formidable nature than any the right honourable gentleman had to-night mentioned, though the combination laws were then in force; as, for instance, in Dublin, where there was a combination of 50 trades, and the workmen of the one assisted the others—the curriers aiding the carpenters, and so on, without regard to the difference of occupations among the combined associators. But that union of the 50 trades could never have subsisted but for the very defective state of the police of Dublin. It would be proper for the house to consider the situation in which the men were frequently placed by the masters; and they would then perceive that the situation of the former was much worse than that of the latter. Some time since, the men belonging to *Mr. Dunlop's* house, in Glasgow, became discontented, and declined going to work. What was the consequence? *Mr. Dunlop* summoned a meeting of the whole body of manufacturers, and pointed out to them the necessity of making a stand against the refractory workmen. It was resolved, that if those individuals did not come in and do their work, the great body of manufacturers, who employed 12,000 men, should discharge every individual in their service. Now, he demanded whether that was fair or reasonable on the part of the masters? Was it fitting that guiltless persons should

be thus punished on account of others who might have misbehaved themselves? On the Monday morning after the meeting, the 12,000 men were sent away; they were, in effect, told, "If you cannot get Dunlop's men to come in and execute their work, we will no longer employ you." Opposition was, of course, experienced against such a proceeding; but, notwithstanding, the masters did by perseverance get the better of the men. Dunlop's men, and all the others, were obliged to come in unconditionally; and this farther punishment was inflicted on them—the masters said, "By the delay in our business, we have lost so much, and that shall be repaid by you, by a deduction of 10 per cent. from your wages." In this case a number of persons who had nothing to do with the original offence were severely punished. Now what was the course pursued by a manufacturer of the name of Keene? He employed 74 men. One of these got drunk; and as he had disobeyed the regulations of the manufactory, it was determined that he should be dismissed. The refractory workman said, "If I go, all the other men shall go with me;" and certainly the next morning the whole 74 men did strike work. Mr. Keene immediately advertised for workmen, stating, specifically, that he would not employ any man who belonged to "the Union." He persisted in this course, day after day, until the whole number was recruited. He prescribed rules for himself, which he did not call upon others to assist him in carrying into effect, and he ultimately succeeded. But what was the system pursued in different parts of the

country? In Manchester, if from any cause, a body of spinners refused to work, under a particular master, their names were sent abroad in a circular, to prevent their obtaining employment elsewhere. The masters stated in the circular, "We herewith send you the names of the spinners who have struck work at our mills. We remain, your's, &c.;" and then followed, in detail, a list of those workmen. This was handed round, and no person mentioned in that list could procure employment from any master until the person whom he had left stated that he was satisfied. Was not this an odious combination? For his own part, he did not approve of such proceedings, whether they were adopted by masters or by men. In his opinion, both sides carried their measures far beyond the point to which they should restrict themselves—far beyond what he hoped they would have done when the combination laws were abolished. In making these observations, he wished to establish this point—that the fault, in these cases, did not rest alone with the journey-men. This being once admitted, there was no person who more heartily concurred with the right honourable gentleman than he did, in the propriety of punishing any measures connected with threats and intimidation, whether they were adopted by masters or by men. If the enactment were fair and equitable, he believed it would be received with pleasure by both parties. Sometimes the law on the subject of combination had been so severe that it fell into complete disuse. There was a law on the subject of combination amongst the colliers, which, however,

ever, from its peculiar construction, was found to be entirely inefficient. The lord-advocate of Scotland was applied to for his opinion with respect to that law; and he expressed his readiness to try whether it would not be better completely to remove the act. This proved that strong and violent measures were not the best for putting down an evil of this description. Much depended on the conduct of masters towards their men; and especially on the way in which they treated their demands. If those demands were reasonable, they ought to be complied with; if unreasonable, the masters ought to make a firm stand, and to punish every one who had recourse to threats, violence, and intimidation.

Mr. Peel was not before aware that the former committee consisted of 50 members. But he was convinced that the measure adopted, in this instance, by a multitude of counsellors, had not produced any good. The precipitate repeal of thirty-five acts of parliament, which had, for a long period, governed the relation between the masters and their men, was, in his opinion, an unwise proceeding. The repeal of such a number of acts, under which particular habits and feelings had been acquired, ought to have been very seriously considered, before that measure was determined upon. He did not mean to defend the whole of these acts; but prior to the repeal of the old law, some better measure than that which had been proposed should have been matured. In the present state of things it was impossible to entertain a question of greater moment or importance than that which was now under consider-

ation. The 10th resolution of the former committee set forth, "that it was absolutely necessary, in removing the combination laws, that means should be taken to prevent the workmen from having recourse to threats, intimidation, or other improper means, for the purpose of interfering with perfect freedom of trade, or of compelling masters from the employment of their capital in any way they thought best." Here an evident allusion was made to some new measure. Now what was the security devised for carrying that resolution into effect? It was merely this—that a party convicted on the evidence of two witnesses, of having used threats or violence, should be punishable by two months' imprisonment. This was a most inefficient enactment, because the guilty parties always took care to have recourse to violence when there were no witnesses present. Why should the evidence of two persons be required? He really could not tell; but that was one of the features of this law which loudly called for alteration. The mischief was not confined to particular persons or districts. The great evil was to be found in the system of delegation which prevailed in different parts of the country. It was this which really led to mischief, although no acts of violence were perpetrated. Was it, he demanded, consistent with freedom of trade that sailors should arbitrarily address their masters, and tell them that they would refuse to sail unless the crew were composed of a particular class of men? How much must such a system interfere with the navigation of any vessel? He would suppose the crew

crew to consist of two parties—the one belonging to the union, and the other not. In a case of that kind, what dissension and division must be created! What was the situation of the ship-owner? According to his contract, his vessel must be ready to sail on a particular day; and under these circumstances he must either sail with a crew in whom he had no confidence, or else he must forfeit a certain sum of money under the terms of his contract. He knew that, very lately, in the Thames, the business of the shipwrights was conducted by a body of delegates. These persons were to find employment for those who were out of work—they were, in fact, to dictate to the master shipwrights as to whom they should or should not employ. On one occasion four or five men went to the yard of a shipwright, and began to work. The superintendent told them, that they must not work there, as his master had hands enough already to finish his business: and the parties were asked by whom they were sent to that yard? The answer was, that they were sent by the committee; and that employment must be found for them. What was the consequence? Why, because the shipwright refused to employ those whom the committee had selected, all the other men, to the number of some hundreds, quitted the yard. The same system was carried on in many other parts of the country. Such a system tended to bring back that worst of all doctrines, a *maximum* of wages—and was, in fact, most injurious to the workmen themselves. The able, active, and intelligent workman had, unquestionably, a right

to receive more than he who was old and incompetent. But the plan on which the workmen had lately proceeded placed old and young, skilful and incompetent, on the same level. If the workmen were suffered to carry this practice into effect, nothing worse for their own interest could possibly be established. His right hon. friend had alluded to a case, in which, pursuing the pernicious doctrine which he (Mr. Peel) was alluding to, the crew endangered, in an especial manner, the safety of a vessel. That vessel, it appeared, would certainly have been wrecked if it had not been for the assistance of other persons whom the captain was obliged to pay exclusively. The hon. gentleman (Mr. Hume) wished to show that all the blame in cases of combination did not rest with the men. Now he (Mr. Peel) did not wish to argue that point. He did not want to establish the masters against the men, or the men against the masters. It was no satisfaction to him to say that the fault lay in this quarter or in that. What he wished for was, to have a rational system of legislation. If the masters behaved ill, let there be a law which should apply to them; and if the men conducted themselves improperly, let them be amenable to some restrictive statute. In short, let the legislature adopt some established principle of law on which the parties interested might safely proceed. They ought to point out the dangerous effects of conspiracy; they ought to show the consequences which the continuance of such an evil must have on the interests of those who were most forward in support of the system. Such an exposition

exposition would, he conceived, have a strong effect on the minds of those deluded men, and would, it was to be hoped, put a stop to a course of proceeding which struck at the root of all freedom of trade. It appeared from the evidence of a gentleman who had been examined before the committee, that in the course of the last three years, no less than ten lives were lost in Dublin, in consequence of transactions connected with the combination of tradesmen; and not a single person concerned in those murders had been brought to justice. It really appeared that there must be an exemption from the bonds of civilized society, when ten innocent persons lost their lives, and no one was prosecuted in consequence. But how was this secrecy preserved? Why, if the carpenters turned out, they employed the joiners to wreak their vengeance on obnoxious persons; and if the joiners turned out, they called on the carpenters for their assistance. By this course of proceeding, the perpetrators of murders and assaults were not recognized. What a state of feeling must such a system produce? It was horrible to think, that, by this union of trades, as it was called, persons who had committed no offence whatever were visited with the dreadful penalty of death. One regulation, it appeared, was, that no master should have more than 12 apprentices; and was it not frightful to think, that, because a man chose to take 12, his life should be forfeited? The workmen would find, ultimately, that the course they were pursuing was the most prejudicial to their interests that could be conceived. Let the house look to the case of

Mr. Robinson, an eminent iron-master, in the sister country. He had procured an engine, similar to that used in Birmingham, for the purpose of manufacturing nails. The consequence was, that a meeting of 3,000 persons took place, and they declared, that if Mr. Robinson persisted in manufacturing those nails, they would take care that they should be driven in crooked. The work was given up: and Mr. Robinson was thrown back on Birmingham for a supply of nails. But for the misconduct of those people, the nails would have been manufactured in Ireland, and employment would have been afforded for themselves and families. He was not anxious to have the old combination laws revived; but he wished to see a law enacted which would provide some remedy against the abominable system of delegation. He had received communications from various places—and he found that, in many instances where artificers were receiving from 5s. to 6s. a-day, they were not satisfied to proceed with their work, but were anxious to stipulate with their masters as to the number of apprentices they should entertain—as to the employment of old men and young men—and a variety of other matters with which they had really nothing to do. This state of things was kept up by a set of mischievous demagogues, whose machinations ought to be put an end to. He hoped the whole question would be considered seriously and cautiously; and that care would be taken to adopt such a system as would prevent a continuance of those evils. Some persons wished, on occasions of insubordination

insubordination amongst workmen, to have immediate recourse to the military power. This, he conceived, would be very improper, except in cases where actual violence was resorted to. What, then, could be done, under the existing state of the law? The only system that could be acted on was, to turn away refractory workmen, and leave them to come to their senses. This perhaps might, in some cases, succeed: but it was evident, that before the workman yielded, feelings of hatred and revenge would be engendered in his breast. As the law now stood, the only remedy which the master had was that which must inevitably put an end to all those kind feelings which ought to unite the employer and the person employed. The hon. member (Mr. Hume) had instanced the case of a tin-man, whose men, to the number of seventy, had left him. That individual, it appeared, had refused to take any one of them back. Now, he must say, it was twenty thousand chances to one that the life of that individual would not be safe in the streets after night-fall. The apprehensions of masters who were really afraid to act, strongly claimed the attention of the legislature; and he hoped that, having looked into the whole of the subject, an unanimous feeling would pervade the house to adopt some efficient measure to check the present evil. It should be shown to the workmen, that the present system was decidedly against their interests; and some law, the provisions of which he would not anticipate, ought to be devised, in order to provide an effectual remedy against the mischiefs, which were at present

only in progress; but which, if suffered to arrive at maturity, would produce more disastrous effects than any he had witnessed since he entered into public life.

Mr. H. Gurney defended the conduct of the last committee.

Sir M. W. Ridley said, he was not a member of the former committee; but he was of opinion that much misconception had arisen with respect to the labours of that body. There was, at present, in that house, a strong desire to adopt the principles of free trade and commerce; and he was sorry to say that some of those parties out of doors, who appeared to be most anxious for the extension of those principles, were the first to defeat their own object, by agreeing to plans of combination. He was in favour of the committee—and he trusted that their labours would be attended by a successful result.

Mr. Trant conceived that the appointment of a committee to investigate this subject would produce very beneficial effects.

Mr. C. Grant said, the discussion which had taken place must convince every gentleman present of the necessity of inquiry. As one of the former committee, he must express his regret that those persons, whose interests that committee had endeavoured to serve, had abused the kindness which had been extended to them. The house could not consent to allow the existence of the vicious and abominable abuse which had been for some time in progress. Every thing should be done to put an end to it, and he, for one, would gladly coincide in any measure which seemed likely to effect that object. Those misguided persons

sons ought to know that they were not only injuring their own interests, but doing all they possibly could to induce the house to return to the old system, which had been so recently abolished. He, therefore, thought that no language was too strong for the reprobation of the conduct which had been described in the course of the evening. He regretted that so much had been said on the labours of the last committee, for it would appear as if it were intended to cast some reflection on their decision. He was one of the 50 members of whom that committee was composed, but he believed not more than half that number attended it. When he entered into that committee, he did so with a determination to make an impartial inquiry into the nature of the combination laws; and after giving due consideration to the subject, he conscientiously felt that their abolition would be advantageous. No one would stand up and palliate the excesses which had been committed since those laws were repealed; but what he would contend for was, that the system which prevailed before the revocation of those laws did not produce calmness and tranquillity. It was, in fact, a system of terror; and therefore he had agreed to its entire removal. It was proved before the committee that evils did exist under those laws which it was necessary to put down. He therefore said, let those laws be abrogated—let us bring the matter to a point as a question between man and man—between master and servant. He was sorry to find that those kindly feelings did not exist between the two parties concerned, which ought

to characterize them. But he must say, that it was not the revocation of those laws that prevented the existence of those desirable feelings. He was prepared to expect some re-action of feeling when the combination laws were removed—he thought that some effervescence of feeling might arise amongst the people; but he certainly did not expect that those to whom considerable advantages were given, and for the protection of whom the new law was framed, would have acted as they had done. It was said, that the new act had revoked the common law on the subject of combination. He could not speak very scientifically on this question; but the result of his consideration of it was, that the act did not, generally speaking, put an end to the common law, though it did in one or two instances. This act surely did not exclude sailors who refused to proceed with their vessel from the operation of the common law. He believed that a seaman who refused to proceed with his ship, after having agreed to make the voyage, was utterly out of the provision of this act, and would be just as amenable to the law as at any other period. It was of great importance that a committee should be formed, and that inquiry should be made as to the effects produced by the act of the hon. gentleman (Mr. Hume). Because, while they attempted to do justice to one set of persons, they ought not to suffer themselves to be deluded—they ought not to seem to lend themselves to the abuses which those individuals might commit, under a measure which they owed to the kindness of the house. Under these circumstances,

cumstances, not only was the right hon. gentleman justified in bringing forward his motion; but, had he neglected so to do, he would have been guilty of a dereliction of his duty.

Mr. Kennedy spoke in support of the motion.

Mr. Lambton gave his thanks to the right hon. gentleman for bringing forward this question.

The motion was then agreed to, and the committee was appointed in conformity therewith.—Adjourned at eleven o'clock.

House of Commons, March 30.

—*Mr. Bennett* presented a petition from Robert Gourlay, complaining of the grievances sustained by delays in the Court of Chancery, and praying the house might send an address to his Majesty for the dismissal of the Lord Chancellor from his high office.

Mr. Bennett said, that as the petition referred to a question of a public nature, and was couched in respectful terms to the house, and was not disrespectful to the Lord Chancellor, he should move that it be printed.—It was ordered to be printed.

Mr. C. Grant, in moving that the quarantine laws bill be read a second time, offered several observations to the house.

Mr. John Smith considered the provisions of this bill to be highly useful, and was only sorry that the board of trade had not thought it right to recommend the making of still further alterations in the state of the quarantine laws. He was of opinion that it would not be unsafe to undo still more of the quarantine laws; and he would state as shortly as possible his reasons for that opinion. Dr.

Maclean, who had had greater opportunities for examining the nature of the plague than any man living, had declared it not to be contagious; and had likewise stated that the question as to its contagious or non-contagious quality was not so much a question of science as a question of fact, on which any man, who was in the habit of weighing testimony, was qualified to decide. It had been understood in England for many years, that the contagion of the plague was capable of being conveyed in clothing and in goods from one country to another, and that cotton, either in a raw or in a manufactured state, was the medium by which it was most easily conveyed. Now, though he was unqualified as a medical man to decide that point, he was able to state as a matter of fact, that there never had been, and that there never could be, an instance of the contagion of fever being conveyed by clothing or goods of any kind. He might urge as a proof of this position, that Holland, which of all our commercial rivals traded the most to those parts of the world in which the plague was most prevalent, had never thought it requisite to enact, and in point of fact did not possess, any quarantine laws. This assertion might appear extraordinary to some persons; but he would repeat it with this addition—that what was called quarantine in Holland amounted to nothing, as it never extended to more than three or four days' duration. He had a document at that moment in his hand, which showed that a vessel, which had arrived at Amsterdam or some other port of Holland with an unsound

unsound bill of health, was permitted to discharge her cargo within three or four days after her arrival. As far, therefore, as the example of Holland went, it was evident that no danger had arisen from the importation of goods from countries visited by the plague. He would mention another fact, which could not be disputed, in confirmation of his argument. There was not an instance of any individual, who had examined into the lazarettos, having any fever at all since their existence in this country. Mr. Turnbull, our consul at Marseilles, had informed him, that though the coast of France in his neighbourhood was peculiarly liable, from its situation, to contagion, supposing contagion to exist, and though vessels were almost daily arriving at Marseilles from the plague countries, there was no instance of any expurgator having taken the plague since the year 1729. In that year an individual, who was opening a bale of cotton, suddenly dropped down dead. It was said that the contagion was so strong that it killed him immediately: but the circumstance admitted of a more natural explanation; it was probable that the man had died in a fit of apoplexy. It was stated by Dr. Maclean, and also by other gentlemen acquainted with the affairs of Turkey, that at Constantinople, when thousands of victims were dying of the plague, their clothes, which belonged as a perquisite to the Cogia Basha, were regularly sold by him in the public market, and purchased by those who were unaffected by it. At Aleppo, too, it was notorious that the plague was often prevalent. From that city caravans passed with goods

into almost every part of Asia. There was no instance on record of the plague ever having been communicated by means of those caravans. Though Aleppo was often in a deep state of misery from the visitation of the plague, the caravans regularly departed laden with goods; and yet there was no instance known of those caravans ever carrying the plague into the populous regions which it was their business to traverse. There was considerable intercourse between Turkey and Persia; and yet, though the former country was often a sufferer from the plague, that horrible visitant had never made its appearance in Persia. Looking, then, at these facts, he would ask the house to consider whether no better cause than contagion could be found for the diffusion of the plague. Many doubted whether the disease which ravaged London in 1665 was the plague or not. Yet, even if it were the plague, it might be accounted for by the mode of living which at that time prevailed in England. They knew that in the reign of Elizabeth her presence-chamber was strewn with rushes, and that the usual diet of the ladies of her household was salt fish, hung beef, &c. From such circumstances it might be easy to conjecture what the habits and diet of the common people would be in little more than half a century afterwards; and under such habits and such a diet, coupled with the want of cleanliness and want of room which then existed in London, it could not be surprising that a fever, with all the appearance of plague, should have sprung up in the first instance, and diffused itself widely in the second. Now, let them apply

ply these circumstances to the inhabitants of Smyrna, and the other towns on the coast of Asia Minor. In those places the same want of cleanliness, the same disregard of wholesome habits, the same carelessness about diet, now prevailed as had formerly prevailed in London, and were in themselves sufficient to account for the prevalence of the plague among them. It was curious to observe that the manner in which the plague arose and disappeared was perfectly consistent with these causes. It generally broke out in the poorest and most confined parts of the town, in sultry weather, and began to disappear as the heat decreased. Indeed, if it were not dependent upon some such cause, it was evident that the plague, supposing it to be contagious, must long since have depopulated the globe. He would now say a few words upon the opinions of medical men upon this subject, and he would take them as he found them stated in two reports made upon it by select committees of their own appointing. In the year 1811, on the motion of an hon. baronet who then represented the town of Dover, but who was now no more, a committee was appointed to examine into the state of the quarantine laws, and that committee determined, with only one dissentient voice, that the plague was contagious. In looking over the evidence which was appended to their reports, he found that the physicians examined before it, were all, with two or three exceptions, in favour of the doctrine that the plague was contagious; and he believed that it was upon the opinions expressed by the physicians that the committee formed the re-

port which they afterwards submitted to the house. Since that time another investigation had been instituted into the subject, and the last investigation differed from the first in this important particular—that on the first none but contagionists had been examined, and that on the second the anti-contagionists, if he might use such an expression, were also allowed to be heard. There was this remarkable circumstance in the evidence of the contagionists—they agreed with wonderful unanimity as to the existence of contagion, but differed most miraculously in their account of its nature, its symptoms, and its causes. The inference which he drew from that circumstance was this—that the question on which they gave such round and decided opinions was not properly understood; and his reason for making that statement was, a hope that the moment would be hastened by it when their former inquiries might be reviewed, and be brought by renewed exertions to a satisfactory conclusion. The existing system of quarantine law, unless it was justified by necessity, could be justified by no other reason. It was prejudicial to the best interests of the country; it obstructed commerce; it impeded science; it was injurious to those who had travelled either for business or for pleasure; it was connected with many superstitious feelings; and with regard to the increasing commerce we were now carrying on with Egypt, he would say that it would be utterly destroyed, if some alterations were not made in our quarantine regulations. He again repeated, that he approved of the alterations

alterations now proposed, but was sorry that the board of trade had not considered it right to carry them further. The system was capable of further improvement, and he trusted that it would not be long before such improvement was effected. Since the year 1819, he knew, from his own personal observation, that the number of medical men who had changed their opinion on the doctrine of contagion was very great indeed. Dr. Maclean had made many converts to his opinion, notwithstanding the professional jealousy by which he was originally assailed. To confute the extraordinary delusions which were abroad upon the subject, he referred to some statements which he had received from Dr. Armstrong, of Russell-square, who was more conversant with cases of fever than any other physician in the metropolis. Dr. Armstrong stated, that not a year elapsed in which he did not visit some hundred cases of typhus fever, that the symptoms of it were the same as those of the plague in Egypt as described by Assereti, and yet that in no instance had he ever suffered by the contagion. It was the knowledge of these facts that led him to express his sorrow that government had not gone further in their improvement of the quarantine system than it had done. At the same time he must mention a fact as illustrative of its practical conduct on this point, which he considered as highly to its credit. A vessel had arrived at Liverpool with a foul bill of health. According to the quarantine regulations, it ought to have remained fifty or sixty days without unloading its cargo. Now this foul bill of

health had not arisen from any of the sailors having been sick on the voyage, but from a single old woman's having died of a fever, which some people called the plague, at the place from which this ship sailed. That circumstance made all the ships foul which sailed from that place, and the consequence was, that several of them, which had cargoes on board, did not sail at all. The vessel in question had, however, come to England, and on its owners making a suitable representation to the proper quarter, had been allowed to unload, and had since sailed on another voyage. He thought that government had acted very wisely in dispensing with the regulations upon that occasion, and he trusted that they would not hesitate to exercise a similar discretion whenever similar facts should seem to require it. In conclusion he called upon the house to review its former inquiry, either by praying the crown to appoint a commission, by forming a select committee, or by some other similar measure.

Mr. Wallace admitted that those individuals who were formerly most convinced of the existence of contagion, were now much inclined to doubt the correctness of their opinions. Still there were considerable difficulties to be overcome before a conclusion could be arrived at, like that at which the hon. member for Midhurst wished to arrive. It was evident, that no committee, whilst medical men stated that contagion was not only possible but probable, could bring themselves to recommend to the house to remove every safeguard which existed against it. It was incumbent upon the house, when

the weight of such authority was against the removal of the quarantine laws, to act with peculiar caution, especially as a false step in this case might be attended with irreparable injury. For his own part, he must say, that without further inquiry, he should not feel satisfied in removing any more of the quarantine laws.

Mr. Hudson Gurney was of opinion that the regulations on this subject might safely be left to the discretion of the board of trade. Contagion was often capricious and unsettled in its operation, but there was no climate under heaven which was not susceptible of its ravages. It was inconceivable to him how any persons could be mad enough to wish to introduce the plague into England for the sake of the cottons of Egypt. Surely the health and welfare of the people of England were more dear to the house than the paltry lucre of a few merchants at Liverpool. Insanity was under any circumstances pregnant with mischief; but the worst and most mischievous insanity could not produce greater danger than would arise from the unqualified repeal of the quarantine laws.

Mr. Hobhouse had no doubt but that the house would come to an exactly opposite conclusion upon that subject from that of his hon. friend who spoke last. The circumstances connected with the plague of London flatly contradicted him. All the phenomena agreed with the character of epidemic, and not contagious disease. Different parts of the town were infected with it, while others were entirely exempt. It was generally fatal to new comers. These were precisely the phenomena which

accompanied the plague in Egypt; the increase of the plague was generally in proportion to the decrease of the Nile. A celebrated physician, Dr. Rush, had retained his belief in the theory of contagion, which experience with stricter observation had afterwards influenced him to recant, and he then said that he was afraid of having done much mischief by his former opinions. The great plague at Malta, in 1813, was marked by the same circumstances. In some parts the whole population was swept off—in others no one was infected. Dr. Maclean had entered the hospital at Constantinople, with nineteen other persons, to prove that the plague was not contagious. It was very true, that being more strange to the atmosphere, he took the infection—but the other nineteen persons went away unhurt. Upon the plague of Egypt, he believed that the house would have the testimony of his gallant friend near him, that the phenomena corresponded with all the other diseases of this nature. It was well known that there was a line of demarcation which cut off Upper Egypt, beyond which the plague never passed. The story about the *Theseus*, which took in five persons at sea infected with the plague, and by that means infected the crew, was wholly untrue. The fact was, that the five persons had the plague, but not a man of the crew became infected. The time would shortly arrive when his hon. friend near him, and all the old ladies in England, would go to bed and sleep without the least fear of having the plague introduced into the city by unpacking a bundle of rags or a bale of cotton

ton from the Levant. He took this opportunity of eulogizing Dr. Maclean as a man who had made very great and salutary improvements in science, and to whom future ages would point the finger as one of the chief lights and ornaments of his own profession.

Mr. Trant said, that in passing up the Red Sea, and travelling in Egypt, he had acquired some experience of facts connected with this subject, which he would deliver to the house. When he was in Cairo, he was given to understand that the plague generally broke out in June—the Christians believed, rather superstitiously, that it was always on St. John's day. But a fact which was less scrupulously believed was, that it generally broke out in the quarters of the Jews, and the reason given for that was, that those persons bought all the old clothes, and among them those of the parties who were the first infected. However that might be, the rage of the disorder among the Jews was attributed to their traffic in old clothes. The house would compare that fact with the arguments of the hon. member for Westminster, who seemed to consider it impossible that bales of cloth goods could communicate it. As to the fanciful line which prevented the march of the disease into Upper Egypt, it was his peculiar fortune to see that violated also. The line itself was purely imaginary, and the fact had no foundation but that of Mahometan superstition. The people of that religion asserted and believed that the plague could not pass beyond the latitude of Mecca, because that was the city of their prophet. Now, when he was making his

way through Upper Egypt, the plague was raging as far south as Mocha, though that was a circumstance which had not been known before within the memory of man. The plague prevailed at Alexandria while he was there. A surgeon with whom he was acquainted disbelieved the theory of contagion, and went among the patients in the hospital. He did not then take the infection; but wishing to push his experiments to the utmost, he got into a bed which had been occupied by one who had the infection. He did then become infected, and he died in consequence. The general opinion, however, attributed the disease to atmospheric influence.

Sir R. Wilson said, that when he was in Egypt the army formed two divisions. The one which was stationed at Alexandria took the plague; the other, which was generally in motion, was not touched with it. The difference was attributed to atmospheric influence. The Turks had no hesitation in entering the infected places. The bodies of those who died of the plague were buried in their clothes, and were generally dug up and stripped by those who had less fear of the consequences. The moving division of the British army passed through villages infected with the plague without being touched with it. Still it was not the business of government to attempt to force public opinion upon a subject of this nature. They ought rather to endeavour to sooth apprehensions, however ill-grounded. He would, however, strongly recommend that the officers appointed to enforce the quarantine laws, should be placed under regula-

tions which would entirely divest them of any suspicion of observing interested motives in their conduct.

Mr. Peel wished to know what was the nature of the theory upon which the gallant officer referred the prevalence of the plague among the stationary force in Egypt, and the absence of it in the moving division, to atmospheric influence.

Sir R. Wilson said, that the general conjecture there was, that the stationary force was exposed to the atmosphere in which the

epidemic prevailed, and the moving division did not continue in it long enough to take the infection.

Mr. Hume said, that he was in Alexandria while the plague was there, and that the irregularity with which it was known to break out in Egypt, while the whole coast of Asia Minor was quite free from it, proved that the principles upon which the quarantine laws had been enacted were not correct.

The bill was read a second time: to be committed to-morrow.

CHAPTER III.

Supplies.—Catholic Relief Bill.—Combination Laws.—Spirit Duties.—Corn Laws.—Elective Franchise of Ireland.—Game Laws.—Provision for the Roman Catholic Clergy.

HOUSE of Commons, April 15.

—*Mr. Goulburn* moved that the sum of 26,000*l.* be granted to defray the expense of the police and watch establishment of Dublin, for the year 1825.—Agreed to.

Mr. Herries moved for the sum of 8,000*l.* as compensation to the commissioners for inquiring into education in Ireland, for 1825.—Agreed to.

Mr. Herries moved for the sum of 27,871*l.* 14*s.* 2*d.* to defray the expenses of the harbour of Howth, and the Holyhead roads, for the year 1825.—Agreed to.

Mr. W. Horton rose to propose that a certain sum should be granted to his Majesty for the removal of emigrants from the south of Ireland to the Cape of Good Hope and Canada.

The other orders of the day were disposed of, and the house adjourned at twelve o'clock till Monday next.

House of Commons, April 19.—Conversation took place in the house yesterday and to-day, upon the subject of very many petitions presented for and against the Roman-catholic relief bill. By some honourable members dissenters were much reflected upon, for petitioning against granting to others the relief which they desired for themselves.

Mr. Peel, followed by other members, defended them, stating that it was perfectly consistent in them to oppose any body which they judged dangerous to the country and the state, and that the history of this body fully bore them

them out in their fears. As a proof that the character of this body had not changed, Mr. Bright strongly recommended members who had not already done it, to read over the speech of Sir S. Romilly on the persecution of the protestants which took place in 1815 in the south of France, and they would require nothing more to convince them that the essence and meaning of popery were always the same, and must ever remain so, wherever or whenever it was restored to its former power and pride.

On the motion of *Sir F. Burdett* for the second reading of the catholic relief bill,

Mr. Brownlow said that he was particularly anxious that this question should be treated solely on the ground of its own merits, and that it should be divested of all that soreness which might be connected with the recollections of this painful subject. Why should he disguise for one sentence longer the expression of an opinion which he had expressed in private, and which he was desirous now publicly to avow? It was this—that circumstanced as we were with respect to Ireland, it was impossible to remain. The two parties whose dissensions were so fatal to the repose of that country were little removed from an actual state of contest. Something must be done, and the important question became, what that something was to be. Could we go back? Could we re-enact laws like those which had before been tried? We could not, for innumerable reasons, which it was unnecessary to specify, and one of which was as good as a thousand—because it was impossible. There was one only remedy

1825.

for the distressing situation in which the people of Ireland were placed—it was conciliation. He would not take upon himself to declare that the unhappy state of Ireland was the result of the defeat of the Roman-catholic question, or of a thousand concomitant circumstances; but it could not be denied, that with the postponement of the success of that measure, the disgraces and dissensions of Ireland had increased. Strange, therefore, as it might appear for him to say so, he was anxious to obtain some great national settlement of the affairs of that country, and he was prepared to go to all prudent, almost to all practicable lengths, to attain that desirable object. If he were asked whether he still felt his ancient enmity against the Roman-catholics—he did wrong to call it enmity, his opposition did not deserve that character—if, then, he were asked whether he still entertained the same opposition which had hitherto marked his conduct towards the claims of six millions of his Roman-catholic fellow-countrymen, he would reply “certainly not—quite the contrary.” Many of the grounds on which he formerly professed to stand in his opposition were removed. Many of the arguments which he had been in the habit of using, and of hearing used by others, could no longer be applied to the question; and as for himself he knew not what other course he could take than to avow the fact. If on inquiry he had found himself to have been in error with respect to his former opinions, it became him to make the only atonement in his power—to acknowledge that he had been deceived. He was aware how

frequently a change of opinion was in that house made the subject of ridicule and suspicion, and how seldom a charitable presumption of sincerity was entertained in favour of the person who made it, and therefore he would endeavour to set himself right in the eyes of the house, though in doing so he might perhaps display the zeal of a new convert, which would appear extraordinary to those who like himself had been misled by old prejudices, and he might add, somewhat misled by the overdone statements and heated language of the catholics themselves. The result of his recent inquiries on the subject was, that the opposers of the catholic question had long stood upon mere imaginary differences. That conclusion had been forced upon his mind; and if he were not to act upon it, he should be most false to himself and to the county which sent him to that house. He would not enter upon the question of the value of the Roman-catholic religion as a form of worship—"Judge not, lest ye be judged"—there was eminent wisdom in that maxim when applied between one religion and another, as well as between individuals. The way in which he would consider the Roman-catholic religion was this—did it involve practical consequences detracting from the allegiance which subjects owed to their government, or weakening the constitutional authority which the government should have over those who were placed beneath its sway? The strongest objection which had been made against the Roman-catholic religion was, that it created an extraneous power in the state, through

the influence which it gave to the pope. It appeared to him that the change which had of late years taken place in the political situation of the pope had materially affected the question. When he looked at the present conduct of the pope, he could scarcely recognize the shadow of his former power. What had become of the power which sported with crowned heads, laid kingdoms under contribution, and excommunicated princes? The genius of the age, the David of modern times, had destroyed it. If it were true, as had always hitherto been asserted, that the Roman-catholics of Ireland owed a divided allegiance to their king—if it were not true that the king possessed their full and perfect allegiance, then he would say, that the Roman-catholics were still fit objects of suspicion, and were persons who ought to be excluded from all offices of trust, and from a participation in the legislature; but if the evidence which had been given before the committees appointed by parliament on the subject of Ireland were true, he saw no reason why those two points should not be conceded to the catholics. It was upon the evidence given before the committees, he did not hesitate to declare it, that his change of opinion was founded. If there was any man in that house who doubted the truth of that evidence, he hoped he would have the hardihood to stand up in his place and say so, in order that the grounds of his antipathy to the catholic question might be known, and, if possible, explained away. If the evidence given before the committees were false, the house might at once dissolve

dissolve these committees, and declare that upon the mystery of Irish affairs no light could be thrown. If the high-born and talented men who had come over to this country, to guide parliament by the light of their knowledge, had, as he had heard basely insinuated, endeavoured to establish one great and devilish lie, then, indeed, his conversion had proceeded upon false grounds. But that such was really the case, he could never for a moment believe. He made common cause with all the distinguished persons who had come from Ireland to give evidence; and if their evidence were true, he was of opinion that no argument could be maintained in opposition to the claims of the catholics, and that any person who should attempt to raise one must be covered with confusion. Dr. Doyle was asked in the committee whether by the doctrine of the Roman-catholic church the pope had any right to intermeddle with the rights of the king, and the allegiance which catholics owed to him. The reverend gentleman answered in the negative: and on then being asked what would be the consequence if the pope were to do so, he replied, that the catholic clergy would preach to their flocks, that it was their duty to oppose the pope. The Archbishop of Dublin gave similar evidence. The propositions which were overthrown by the answers of Dr. Doyle, formed the most important ground of the opposition which had been, and still was, offered to granting the claims of the catholics. Dr. Doyle was likewise asked, whether the pope had the power of granting dispensation for crimes: he re-

plied, certainly not; and that he considered such a doctrine impious. The reverend gentleman also stated, that the catholics had purchased a great part of the confiscated property. How was it possible, then, to suppose that the catholics would join in any insurrectionary movements, by which they could not fail to be sufferers? With respect to those important points, all the difficulties which he had formerly felt to making concessions to the catholics were removed. He was not called upon to consider the Roman-catholics as religionists. All he was bound to do, was to ascertain that their spiritual were clearly separated from their temporal concerns. He did in his heart believe that to be the case, and therefore he was disposed to approve of the concessions which it was proposed to make to them, and which he thought none but the timid could be alarmed at. He trusted that he had somewhat succeeded in making known the grounds on which he wished it to be understood that his change of opinion had taken place. He was prepared to give his vote for the measure of the hon. baronet in its present stage, reserving to himself the right of objecting to particular portions of it in the committee. He, however, did not think that the bill before the house was the most perfect which could be offered to the approbation of parliament, as applicable to the present circumstances of Ireland. The two great objects which were recommended by almost every witness called before the committee, was to make a provision for the catholic clergy, and to grant to catholics the exercise of

the elective franchise. He thought that those measures would prove most beneficial. He did not, however, agree with those who were of opinion that the making of a provision for the catholic clergy should be considered as the discharge of a debt of obligation to that body, for their efforts to preserve the peace of Ireland. On the contrary, when he considered the habits of intimacy in which the catholic clergy lived with their flocks, he thought that they had done much less towards the preservation of the peace of the country than they might have done. It was the object of government to bring all religious sects in connexion with the state. For what reason, then, should not this policy be observed with respect to the catholic clergy? When the Roman-catholic clergymen should find that there would no longer be any interference with the independence of their religion, they would, like the presbyterian clergymen, be good allies of the state. The proposed alteration respecting the exercise of the elective franchise in Ireland, in every way in which it could be viewed, moral or political, would, in his opinion, be productive of great benefit. The protestant portion of the people of Ireland, who had been represented to be discontented with the proposed measure, were the very persons who had called for it. This circumstance afforded him the greatest pleasure; for if parliament were to satisfy the catholics, without at the same time conciliating the protestants, they would do only half their work, for the elements of contention would still subsist in Ireland. A great mistake was

made in 1792 by granting power to the rabble, and withholding it from the knowledge, property, and station of the country. He would now propose to remedy that mistake, by taking power from the rabble, and bestowing it on rank, knowledge, and property. Under the present system, the great mass of the Irish voters blindly followed the directions of their landlords with respect to the manner in which they should dispose of their votes, without reference to the merits of the different candidates. As a proof of this, it was stated in evidence before the committee, that candidates never thought of canvassing the electors on the estate of an adverse proprietor, because it would be impossible to obtain their votes. It was highly desirable to confer the elective franchise only upon those who were capable of forming a just estimate of the merits of the candidates. Such a measure would, he conceived, be acceptable to all parties; and he most solemnly believed that it would add to the happiness of Ireland, and the security of the British empire.

Mr. Bankes considered the proposed provision for the Roman-catholic clergy as a most objectionable measure, and moved as an amendment, that the bill be read a second time this day six months.

Mr. W. Peel rose to second the amendment; and said, that judging of popular feeling from the sentiments of the place he represented, he should decidedly hold that the people of England were averse to granting any further concessions to the catholics. For himself, after great attention to the sub-

ject, he professed that he remained unconverted. If the opinions which he had held formerly were those of bigotry, it was his misfortune to be a bigot still. But, even if he had generally been friendly to the cause of catholic emancipation, he should consider the present time a most unfit one for carrying it. It would really be putting too high a premium upon faction and violence, to let it be supposed that the late proceedings of the Catholic Association had tended to promote any thing in the way of concession from parliament or the country. Honourable gentlemen said it was hard to make a large body of people suffer for the violence or imprudence of a few; but the catholics of Ireland, let it be remembered, had in every sense identified themselves with the Catholic Association; they had adopted the leaders of that body as their chiefs, and made themselves party alike to their opinions and proceedings. He believed it was an exaggeration to say that the cause of catholic emancipation was the cause of 6,000,000 of people in Ireland; but the fact mattered little, for the greater their number the greater was the danger of granting what they desired. He was not one who thought that the political consequences would be trifling of carrying the present measure. If parliament once was thrown open to the catholics, a decided change could not fail to take place in the state of the Irish representation. A large body of catholics would soon be found sitting in that house to legislate upon matters connected with protestant interests and protestant supremacy. If these were good catholics, they would most certainly endeavour to exalt their

own establishment at the expense of the rival faith; and therefore, taking them to be zealous followers of their own system, he would never consent to intrusting them with power. The grants proposed to the catholic clergy by the present measure, in his view, only rendered it additionally objectionable. He was opposed to the principle of such a grant rather than to the mere pecuniary expense; because, if once it was carried, what was to hinder every other sect opposed to the established church from claiming a similar provision? That the grant of what was called catholic emancipation would end the miseries of Ireland, it would be ridiculous to expect; he, personally, was not of opinion that it would in any way decrease them. The evils which afflicted Ireland were the want of a resident gentry, the want of capital, the want of commerce, of moral and religious education. These were difficulties not to be got over—not to be touched—by a measure which, to him, seemed pregnant with danger to the community; and certainly, so long as he continued to think the religion in which he had been bred and educated the best religion on the face of the earth, so long he should feel it is duty to oppose any extension of the political privileges of the catholics.

Colonel Bagwell opposed the amendment.

Mr. G. Dawson adverted to the intense anxiety which existed in Ireland as to the result of the present question, and said that all Europe might be considered as looking with scarcely less of interest to the discussion. Taking into account the important consequences which were to hang upon

the fate of the measure before the house, it was hardly to be wondered at if men in general almost shrank from deciding it. On the one side, he dreaded to perpetuate a system which was called by some—he might say by many—a system of injustice; on the other hand, he trembled for the introduction of a power which had been held, and by many of the greatest men, and the wisest, to be fatal to the liberties and constitution of the country. He admitted the danger of leaving the feelings of the Irish excited—their minds and hearts open, to the attempts of demagogues and caballers; but still he feared to consolidate the strength of a party in Ireland which, in principle, was hostile to all the establishments of the country—which was burning with the ill-concealed rancour for fancied oppression or past quarrel, and ready to seize the earliest opportunity of marking and asserting its acquired triumph. Under such circumstances, the duty which the house had to perform was an awful one. He had weighed the advantages of the proposed course against the disadvantages of it; and the only question was, which were the greater. If he thought, with the honourable member for Armagh, that peace and prosperity would be the consequence of granting the catholic claims, he would be ready to vote for that measure, and to endure all the obloquy of having changed his opinions; but, unfortunately, after every exertion of mind, he could not help coming entirely to a different conclusion. And believing, as he did, that the conclusion which he had come to, was entirely supported by the evidence before the house, he felt

the more surprised at having to differ from the honourable member for Armagh upon a question, as to which, on all prior occasions, he had been so fortunate as entirely to think with him. That report of the committee contained perhaps such an account of the state of Ireland as had never before been made public. It afforded a most striking picture of Irish society, and of Irish institutions; and such a picture as he did entreat gentlemen, who had not consulted themselves, to consider well before they spoke upon the present question. He called upon honourable members, however, to look closely at the evidence on that report, and not to forget, on some occasions, who the parties were by whom that evidence was given. As to the talents of those catholic advocates who had been examined before the committee; as to the ability of Messrs. O'Connell and Blake, and Dr. Murray and Dr. Doyle, there could be no doubt; but as to the effect and object of their system he was not so certain. He could not well reconcile the fact of one and the same gentleman being the friend of a person like Mr. Cobbett, and the friend of the hon. Member for Westminster—the advocate of universal suffrage, and the disfranchisement of the forty-shilling freeholds. He could not understand how the turbulent conduct of Mr. O'Connell in Ireland, allied with the mild and temperate evidence which he gave before the committee. The evidence of Dr. Doyle was still more extraordinary in this respect: there was the greatest possible discrepancy, and even contradiction, between his statements before the committee, and the some

which he had held as a political writer. It was scarcely possible to believe that there could proceed from the mind of the same man so much meekness as this gentleman had displayed upon his examination, and such furious rancour as his political writings were filled with. Dr. Doyle had sent several pamphlets into the world under the signature of "J. K. L.;" he had received the thanks of the Catholic Association for them, and there could be no doubt that he was their author. These works contained, all of them, the fiercest attacks upon the established church; the most rancorous abuse of the whole protestant system—the laws—the religion—the population. The author taught his countrymen to look only at protestant civil institutions as invented for their oppression. As a divine, he fell into agony at the mention of the protestant faith: he condemned its principles, reviled its ministers, and anathematised its doctrines in the most unmeasured manner. Upon the whole, perhaps, he presented as true a picture of an obedient son to the see of Rome as could be imagined; and if such a man had power, Pope Boniface, not any other Pope, would ever be in want of a fitting instrument to lay Ireland in religious shackles. Now, before the committee of the house, this same gentleman was found changed altogether. He was temperate in his manners; liberal in his views; full of admiration for the constitution of his country, and of reverence for its laws. He abjured the power of the pope, in all but spiritual matters—no Scottish covenanter could do it more stoutly; he was ready

with answers to every question; in short, he was just what the most ardent friend of catholic emancipation could desire him to be. But, in the midst of all the mildness and eloquence of Dr. Doyle, let hon. members just take notice what occurred when a question as to J. K. L. was put to him. He was asked whether he had seen the pamphlet signed with those initials; and his answers immediately were very short. "Did he agree in the principles laid down in them?" "Probably he did." "Did he agree in the plan for disfranchising the forty shilling freeholders?" Now this question the doctor could not answer without getting upon forbidden ground. At the time of the letters of J. K. L. &c. he had known nothing of this suggestion as to the disfranchisement; and he would be in danger of disavowing his former opinions. Accordingly, as soon as he got to this point, Dr. Doyle was found appealing to the committee. He wished not to be pressed farther upon that question. He put it to the committee whether it was necessary. In short, not to use the term offensively, in a very jesuitical way, he contrived to decline giving an answer. But all this artifice could not succeed. He (Mr. Dawson) could not look very favourably at a cause which admitted of being served by such means: but the evidence of Dr. Doyle was published, and his pamphlets were published; and he wished that the hon. member for Armagh had compared the one with the other prior to forming his opinion. All he asked would be in a single sentence. With statements and declarations so opposite; was it possible for any man

to be right in both? These things it was, in fact, which made the settlement of the broad question almost impossible. Mr. O'Connell and Dr. Doyle guided the minds and feelings of the catholics of Ireland. The one managed the business of divinity, the other those subjects and matters connected with common politics. Dr. Doyle pointed to the existence of the protestant church as an insult to the Irish priesthood, and an oppression: Mr. O'Connell pursued the same course in alienating the minds of the lay population from established institutions and authorities. The effect of this was, that there was scarcely a protestant in Ireland who did not expect some great convulsion from the success of the catholic claims. (*Cries of "No, no."*) He believed that this was the case, however it might be contradicted, and that there was scarcely a catholic who did not expect to gain something beyond mere eligibility. To anticipate brighter prospects for the future, under such circumstances, was impossible. When protestants looked at the speeches and resolutions of the Catholic Association of the present day, and when they looked back to history, they could see nothing which should seem to lessen the danger of now granting further political privileges to the catholics. On the 31st of May, in the last year, it might be remembered, a petition had been presented to the house by the hon. member for Winchelsea, conveying a sweeping condemnation of every thing that was protestant, and demanding a thorough reform in the temporalities of the church of Ireland. Now, for what was intended by a thorough reform in

the temporalities of the church of Ireland, he (Mr. Dawson) would desire hon. members to examine the pamphlets of I. K. L. With permission of the house he would state what had been the acts of the catholics when they were in possession of the civil power in Ireland. In 1687, when the country was governed by the viceroy of King James, and when it was intended to restore the temporal as well as the spiritual power of the Romish church, the first step taken was to remove all the protestant judges, and to supply their place with catholics. But the removal was not confined to the judges only; every office, down even to the low situation of constable, which had before been held by protestants, was vacated, and catholics substituted. The next step was to disfranchise the corporations; their charters were taken away, and new charters given, with power to the principal officers to remove all protestants who held office under the former charters. Having succeeded thus far, the government next tried its power on the Irish parliament. A parliament was soon after held in Dublin, of which only eight members of the house of commons were protestants, and the peers who met in the upper house were all catholics. What was the effect? Early in the session an act was passed which confiscated the estates of multitudes of protestants; and when a petition, most numerously signed by that body, was presented to the house, praying for redress, the answer was, that they must share in the general ruin. To these facts he begged the particular attention of the hon. member for Armagh,

Armagh, who now seemed to place such reliance on the evidence of some Roman-catholics who were examined before the committee. After sanctioning the proceedings he had just noticed, the parliament next passed a bill of attainder, in which, according to Archbishop King, not fewer than 2,600 protestants were attainted, and of course their properties confiscated. The whole of the diocesan schools, which had previously been in the hands of protestants, were placed under the superintendence of catholics, to the exclusion of protestant teachers and pupils. The fellowships of the Dublin university were filled by catholics, and a popish priest was made provost. All the livings within the gift of government were filled by catholics; and as a wind-up to this reformation, which was just of the kind that Dr. Doyle advocated, there were in the diocese of Dublin 26 protestant churches, occupied by popish priests, and turned into catholic chapels. These were the effects of popish ascendancy; and similar results would follow, if they obtained the same power in the present day. He could not but look upon the petition of the Catholic Association of 1824, as no more than a corollary of the catholic proceedings of 1687. For these reasons, he would oppose the second reading of the bill. He felt convinced, that instead of tranquillizing the country, it would tend only to create fresh dissensions. He wished the protestant establishment to remain undisturbed, because the country had flourished under it: our liberties had been cherished by it, and he felt convinced they would be less secure by any measure which

should weaken its influence. He had, from a recollection of former circumstances, a dread of catholicity, and was therefore decidedly opposed to any bill which would again tend to introduce its power in the country. He would apply to the proposed measure the words of the poet—

“ O patria, o Divum domus Ilium, et
inclyta bello
Mœnia Dardanidum! quater ipso in
limine portæ
Substitit, atque utero sonitum quater
arma dedere.
Instamus tamen inmemores, cœcique
furoræ,
Et monstrum infelix sacra æstivamus
arce.”

Lord Milton said, that his feelings on this question, produced by the speech of the hon. member for Armagh, were not at all diminished by those of the hon. members who followed on the opposite side. He was now, as he had been, an advocate for the principle of emancipation. The merits of that question did not hang upon the political conduct or the religious opinions of a few members of the catholic body; and in rising to advocate it, he did not stand forth as the apologist of the catholic prelates, or the doctrines which they taught. Neither did he feel himself bound to reconcile the opinions of J. K. L. with those of Dr. Doyle or Mr. O'Connell. Their consistency was in their own keeping, and it was not the business of that house to reconcile their differences. Leaving those differences out of consideration, the question before the house was plain and simple. It was, whether the circumstances of the times in which we lived called for the continuance of a code, enacted in a period of civil contest, and having for its object, not the put-

ting down a religion, but a political party. The hon. member who last addressed the house, had quoted the acts of the parliament of King James in Ireland, but he had not quoted fairly. He had looked only to one side of the question. King James, it should be recollected, was a monarch inclined to absolute despotism. He was one who looked to the divine right of kings. When he had that object in view, what was more natural than that they should endeavour to cripple the power of his adversaries? These adversaries were the protestants. It was therefore quite natural that he should wish to remove them from places of trust and power. But what application had that fact to the times and circumstances of the present day? We had now no King James, and it was not for a moment to be supposed that the illustrious family now upon the throne of this country could ever indulge a feeling hostile to its liberties, or ever wish to make use of the catholics as agents for their subversion. Remembering what was done by the political agents of King James against the protestants, he was not at all surprised at what the protestants did when they came into power. Looking at the circumstances of the times, he could hardly consider it unjustifiable. They enacted the penal code; and whether wise or unwise, they were consistent. Their object was to reduce the power of their adversaries, and for that purpose, they endeavoured to reduce the population to a state of barbarism. In this they unfortunately succeeded; but those times were now gone by. From that state the great mass of the Irish people had long been

released. They had now acquired wealth, and with that, political influence. Of that influence it was impossible to deprive them. We could now, as had been observed by the honourable member for Armagh, re-enact the penal code; and it was impossible to stand still. We should, therefore, if we sought for the tranquillity of Ireland, go on, and grant that now willingly, which might hereafter be wrung from us by necessity. With respect to the influence of the proposed measure on the established church, he thought that any measure which would tend (as he had no doubt this would) to the tranquillity of Ireland, would also tend to support the protestant religion in that country.

Mr. North, Mr. Daly, and Sir N. Colthurst spoke in favour of the bill, and *Lord Ennismore* against it.

Mr. Goulburn said, that if he could be induced to believe, that by acceding to the present bill the house would produce general conciliation and tranquillity in Ireland, he should have no hesitation in following the honest and manly course of the member for Armagh, and in giving to it his decided approbation. He could not, however, bring himself to entertain such a belief, and he must therefore repeat the objections which he had formerly urged against this measure. He could not agree in the sentiments expressed by the hon. member for the county of Galway. To tell him that the catholics of Ireland demanded these concessions, and that if they were refused, they would take them by force, was not an argument to which he could listen. He was willing to yield to the

voice of reason, but he would be the last man to give way to any thing like a threat on a question of this nature. He had been hostile to this measure on former occasions, on the very same grounds that he was now. He held it to be inconsistent with the British constitution, which was indissolubly united with the church establishment; he held it to be inconsistent with the first principles of that constitution, to admit those within its pale who were actuated by religious feelings of the most bitter hostility to the church of England. He agreed with the hon. member for Corfe-Castle in thinking that if they should give their sanction to this bill, they would depart from the ancient principle of the constitution. The constitution was built upon this principle—to exclude every thing that was dangerous to its existence, and to guard against any evil which it foresaw by checking its operation. Now they were told to neglect that principle, and to trust to the securities which had been formed to neutralize the effects of the evil apprehended, in the present instance. He was not disposed to take that advice, but felt inclined to adhere to the old principle, and not to desert it for the new. His hon. and learned friend behind him (Mr. North), in one part of his speech, had doubted whether any danger could arise from granting these concessions to the catholics; and yet in another part of his speech had admitted that he did behold some danger, but a danger that was remote in its operation. He left his learned friend to reconcile this inconsistency as he could. He should merely remark that the

bill itself admitted that there was some danger. If there were not, why should it contain so many precautions? why should it contain a special certificate as to the loyalty of the bishops? The securities which the bill gave against the apprehended danger were of three kinds—the first kind was the declarations in the preamble; the second, the oaths in the bill itself; and the third, the commission formed to control the intercourse of the bishops with the court of Rome. He was proceeding to show that they were all inefficient, when the increasing noise in the house, and the cries of “adjourn,” compelled him to desist.

It was then agreed to adjourn the debate till Thursday.

House of Lords, April 21.—Petitions were presented against the catholic claims; one was from a congregation of dissenters at Margate.

Lord King thought it odd that the clergy of the establishment should seek the aid of the dissenters on this occasion, considering how the former at other times treated the latter, who were branded as worse than the catholics. A very eminent and reverend person, reckoned an ornament of the church, had declared, that the catholics were nearer, far nearer, to the church of England, than the dissenters.

The *Bishop of Chester* held in his hand a petition against the catholic claims, and it was singular that it came from a congregation of one of those denominations to which the noble lord had just alluded—namely, the ministers, deacons, and congregation of Jewry-street chapel. As each

congregation of the sect to which the petitioners belonged was independent of the rest, he must acknowledge that the opinions of the whole body could not be inferred from what was expressed by one congregation. But the petitioners not only deprecated the removal of the present restrictions on the Roman-catholics, but wished those under which they were themselves placed to remain. They expressed their perfect acquiescence in the present state of things. They desired no change, because they believed that in proportion as the church of England was made strong, in so much was the interest of the great body of the protestants secured. He was aware that there might be a difference of opinion among dissenters on this question, but he firmly believed that great numbers concurred with the petitioners; not only because they believed that they were indebted for their own security to the church of England, but also because it was their persuasion that with it they enjoyed more freedom than they would under any other system. It was with great satisfaction he presented this petition to their lordships.

Earl Grosvenor asked what was the number of signatures to the petition?

The *Bishop of Chester* said, it was signed by the whole congregation, which was not very numerous.

Lord Cathorpe observed, that many of the warmest friends of the church of England supported the catholic claims on the very ground stated in the petition,—namely, the wish of securing the church itself. Believing as he did, that the dissenters of England

had rendered most essential service to the cause of protestantism, and to civil and religious liberty—believing that they had produced a beneficial re-action on the church of England, and had greatly contributed to the revival of true religion in this country, he could not but be glad to hear them spoken so favourably of from that bench where not very long since they had been treated in a very different manner. He did not mean this observation to apply to the right rev. prelate who spoke last, who, from his liberality and candour, could never be supposed to adopt such a course. He rejoiced, however, to see this spirit of cordiality towards the dissenters; but he could not believe that the great body of that important class of the people were against farther concessions to the catholics.

The *Bishop of Chester* disclaimed, in the name of his brethren and himself, the compliment of the noble lord. At no time had it been the habit of the bench to which he belonged to speak disrespectfully of dissenters. If there were an overflow of cordiality towards that body, it was a return due to the fairness and candour which had been experienced. On such an occasion could the clergy of the church of England be expected to do otherwise than to hold out the right hand of fellowship to their brethren?

House of Commons, April 21.—Many petitions were presented both for and against the catholic claims;—among those opposed, was one from London, signed by 3000 persons.

Mr. Goulburn presented a petition from the master upholsterers of the city of Dublin, praying for

an alteration in the combination laws.

Mr. Hume took that opportunity to correct a mistatement which had been made on a former evening by the right honourable secretary for the home department (*Mr. Peel*) when the subject of the combination laws was brought under the notice of the house. He found, on inquiry, that two lives, instead of twenty, had been lost in Dublin, in consequence of proceedings connected with the combination of workmen during the last three years. He felt it necessary to state this for the purpose of removing the impression which the statement of the right hon. secretary was calculated to produce.

Mr. Peel wished to set the hon. member right on the point to which he had just referred. He (*Mr. Peel*) had made no assertion on the subject. He had merely referred to a statement which was to be found in the evidence given before the committee. The individual examined had expressly said, that within the last three years no less than ten lives had been lost in Dublin in consequence of the system of combination. The hon. member had admitted that two lives had been sacrificed; but, independent of this, he believed the hon. member would find, that, in these affrays, twenty persons had their limbs and skulls fractured in a very serious manner. He had asserted nothing of his own knowledge. But it was quite clear, that if combinations were formed, the members of which resorted to acts of such savage violence, the subject was one that demanded the attention of the house.

The petition was referred to the committee on the combination laws.

Sir F. Burdett moved the order of the day for the house resuming the adjourned debate on the second reading of the catholic relief bill.

The original motion and the amendment having been read,

Mr. Goulburn proceeded to address the chair. He said he had, on the preceding evening, endeavoured to impress on the minds of gentlemen, that the contents of the bill now before the house afforded evidence that they would incur danger by adopting the course they were now called upon to pursue. He stated then, and he would repeat it, that he could not comprehend the necessity of introducing all these securities, unless danger was apprehended. He proposed to examine the nature of those securities, to see how far they were applicable to meet the danger which they were intended to guard against, and to inquire in what degree they were calculated to afford protection against the risks which were likely to be incurred. Those securities were of three descriptions:—first, the declarations which were contained in the preamble of the bill; second, the oaths required to be taken in certain cases; and thirdly, that which was considered the great security, the commission for the purpose of assuring the crown of the loyalty of those who were hereafter to hold high situations in the Roman-catholic church, by superintending and controlling the correspondence between the catholic bishops and foreign powers. With respect to the first class of securities—those contained in the preamble of the bill—they did not

appear to him to be valid. The first part of the preamble relates to the protestant succession to the throne of these realms, which it set forth, as if established permanently and inviolably." At present, the protestantism of the throne, and also the protestantism of parliament, were provided for; but the moment this bill was passed, the protestantism of the crown being preserved, it was declared, that it would be of no consequence what was the religious persuasion of those who filled high political offices in the state. It was important to know how far this arrangement was satisfactory to those with whom they were now treating. They ought to consider how far this established protestantism of the crown, on which they so much relied, was likely to be attended to—they ought to examine into the degree of dependence which they could fairly place on those who called for this bill. He saw, in this measure, no slight indication of the feeling, on this point, of those who were connected with the bill. In his opinion, so far from this protestantism of the crown being viewed by this measure as inviolably fixed, it was considered at a matter that had its limits. It was quite clear that those who were connected with the measure cast forward their views to that period when the crown would be no longer protestant. This was apparent from the letters of a gentleman, whose opinions on this question had very great weight, and whose evidence before the committee had tended to alter the sentiments of the hon. member for Armagh (Mr. Brownlow) on this subject. He alluded to Mr. O'Connell, who had taken

care to guard himself more sedulously on this point. That gentleman said, "that the inviolability of the protestant succession would be maintained in the present succession. There was not one," he observed, "amongst them, (the Roman-catholics) who would wish to see it altered—in that feeling the Roman-catholics all concurred." But did not this point at a period when the present family might become extinct?—a contingency to which he adverted with the most anxious desire and feeling that such a period might be far distant. Did not this seem to suppose that a period might arrive when Roman-catholics might become eligible to the throne? The next point to which the preamble adverted was the discipline of the protestant episcopal church of England and Ireland, which was to be permanently and inviolably protected, in conformity with the act of union. If he correctly understood the act of union, the fair construction of that act was, that the only establishment should be, the protestant episcopal church of England and Ireland, as it existed at the time of the union. He did not think it was intended, at any period whatever, to place any other religion on a level with the protestant episcopal church of England and Ireland; but he had no difficulty in saying, that there was, in the bill before the house, a recognition of the Roman-catholic church of Ireland. He had heard his right hon. friend (Mr. Plunket) discuss this question. And what had he said? He stated, that so long as individuals remained merely bishops of the Roman-catholic church, it was legal and proper; but that when they

they denominated themselves bishops of the Roman-catholic church of Ireland, it was illegal and improper. And yet what were they now called upon to do? They were asked to recognize permanently a body of bishops of the Roman-catholic church of Ireland, who were to be paid out of the funds of this country. There was no one provision which he could discover, that went to preserve the established protestant episcopal church of England and Ireland, as it was recognized at the union. The protestant church of Ireland was, at the union, permanently fixed as the established church of that country. But now an attempt was made to place on a level with it the catholic church of Ireland. When they saw this, could they be idle enough to suppose that any confidence could be placed in the pompous declarations with which the measure was accompanied? He came, in the next place, to the security which would be derived from the oaths that were to be administered to Roman-catholics. He agreed with the hon. member for Corfe Castle in the view he had taken of those oaths. They applied only to temporal matters, but left untouched the spiritual and ecclesiastical authority of a foreign power. He would ask gentlemen, as that hon. member had done, to look at the situation in which they would be placed, if this bill passed. They were obliged to take the oath of supremacy, declaring that the ecclesiastical and spiritual authority of the pope was not, and never should be, recognized in this realm. And yet, by this act, other persons would be allowed to sit in parliament who did recognize that

spiritual and ecclesiastical dominion. He thought the hon. baronet (Sir F. Burdett), and those who drew up the bill, ought not to have placed the house in such a difficult situation as this. Gentlemen were called on, either to perjure themselves or to alter the plain and evident meaning of words. A considerable portion of those oaths was, he knew, taken from the acts already passed for the general relief of the Roman-catholics; but, notwithstanding that, he could not help looking at the measure with very great jealousy. He conceived that those concessions were fraught with danger to the church establishment; and, in his opinion, the oaths attached to the bill afforded the protestants but very little security. The Roman-catholics were called on by the oath, to disclaim and disavow any intention to subvert the established church. That was clear and decisive; but when it was accompanied with the words "for the purpose of substituting a Roman-catholic establishment in its stead," he would ask, whether it did not allow a considerable degree of latitude for invading the rights of the protestant establishment, so long as there was riot, in the mind of the invader, a desire to establish the catholic church in its room? He could acquit the Roman-catholics of any wish to overturn the protestant church; but, for all that, he could easily conceive that a conscientious catholic might think himself justified in removing an establishment which he looked upon as a great heresy and a great evil. Such a man might think it a moral duty, intimately connected with moral principle, to remove a church

church which appeared to him to produce no benefit, but on the contrary to create evil. While he was on this point he wished the house to look at the sentiments promulgated by an individual (Dr. Doyle), who was highly respected by the catholic body. Gentlemen had, in the course of the debate, referred to that reverend prelate, and he wished them to examine the terms in which he had spoken of the protestant establishment. He stated that such an establishment did not exist in any other civilized country, and that it was peculiarly unsuited to a nation almost exclusively devoted to tillage. He asked, what did the protestant clergyman give to the peasant for the tithes he received from him? Speaking of the protestant church, he exclaimed, "From what heaven have you fallen? Tell us the names of the bishops by whom your establishment was founded? Turn over your books, and point out to us the names of the apostles who were members of your church—a church jointly formed, in its early history, of laymen and ecclesiastics, whose hypocrisy, lies, and crimes, were most disgraceful." But there was another circumstance to which he begged to call the attention of the house. In the bill which had been formerly introduced into this house by his right hon. friend the secretary of state for the home department, some efficient security had been proposed by means of an oath. The oath prescribed by that bill was to be administered to all ranks of the clergy; but in the bill now before the house, the oath substituted for that to which he alluded was only required to be taken by

persons who were admitted to the office of dean or bishop. As far, therefore, as an oath could be obligatory, that contained in the former bill bound all the Roman-catholic clergy of the kingdom against any attempt towards subverting the established religion. The present bill, however, seemed to be in this respect framed rather with a deference to catholic prejudices, than with any view towards the feelings of the protestants, or towards providing a protection against any possible danger. He came now to the third security which the bill proposed to establish. This was the appointment of a commission of four catholic bishops, for the purpose of regulating the intercourse of the see of Rome with his Majesty's subjects in Ireland. But even here the bill did not provide that they should disclose all that might be contained in such intercourse, nor, indeed any part of it, unless they should be of opinion that it was injurious to the tranquillity of the kingdom, thus leaving them to be the sole judges of the question. He did not know by whose advice, nor at whose suggestion, this new cabinet had been formed, or upon what principle of constitutional policy it was that a commission of four catholic bishops was thought necessary to advise his Majesty on matters of such importance as the tranquillity and safety of the state. Still less could he perceive what great advantages might be expected to result from this commission, whose chief, if not only duty would be, to report only such matters as would be perfectly innocuous. That much mischief might be done by a commission intrusted

intrusted with such powers, he saw too plainly; and if he were a person desirous of carrying on an intercourse dangerous in time of peace, or traitorous in time of war, he would wish for no more efficient engine than this commission. He congratulated England upon the protection which had been thus provided for her establishments, for the security of her religious and civil liberties, and upon the appointment of four catholic bishops to be the guardians of the protestant religion! So much for the protection which it was said had been raised against the possibility of innovation—so much for the premium which was to be received for passing the bill. But he should perhaps be told, that not only these but other advantages were afterwards to spring up and to be introduced, when the law now proposed should have been carried into full effect. He knew that it was the favourite policy of those gentlemen who advocated this bill, to keep out of sight many of the ulterior measures with which, if it should be once carried, they hoped to follow it up. On such, however, as met the public view, he should make a very few observations. In the first place, it was offered to give up the franchise of the 40s. freeholders; and this was presented as a sort of bonus, either to induce the house to pass this bill, or to reward them for having done so. He wished, however, to ask the hon. members who had espoused that proposition, whether they intended to effect this disfranchisement immediately? They admitted that the existence of the 40s. freeholds was an evil in the system of Ireland, and that it

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ought to be abolished. Could they abolish it at present, or must they not wait the expiration of leases now in existence? One of these two things they must be prepared to do: the first, for his own part, he thought impracticable; and if they proposed to do the second, then, he asked the hon. members for Armagh (Mr. Brownlow) and for Downe (Mr. Forde), what became in the mean time of the security against the evils which they admitted? To the proposition for paying the Roman-catholic clergy in such manner as befitted their rank and utility, he had no hesitation in agreeing. But to recognize the several dignities which they enjoyed in their own church, and to give to them all the character and station of a regular establishment, he could not consent, because he thought that to do so would be to inflict a great evil on Ireland. To have in every diocese two bishops of opposite principles in religion would give rise to frequent disputes, still more frequent inconveniences, and must, ultimately, be attended with danger to the country. Such a course, too, would be directly at variance with the principles of the Reformation. If, as had been said more than once on recent occasions, the catholic religion had lost some of those features which used once to be its distinguishing characteristics—if it was so altered as to have nearly approximated to the church of England, as some of the persons who had given evidence on the committee would have it believed, why should not some steps be taken to unite them, to reconcile opinions now so nearly the same, and to remove that *odium theologicum*

gicum which an honourable and learned gentleman (Mr. Brougham) had said became always more violent in an inverse proportion as the disputants approached nearer to each other. But had gentlemen who had advocated the creating an establishment for the Roman-catholic clergy, well considered whether the country would be disposed to pay additional taxes for the support of that church? If the protestants of England, and the episcopalians of Scotland, even were content to do so, what feeling would be entertained upon the subject by the numerous body of dissenters? If the catholic clergy permitted their flocks to consult the scriptures as the rule of their moral conduct, then, perhaps, some of the danger with which the present measure appeared to be fraught would be removed; but while, by the authority of the pope, that which was obviously a crime in morals, was held to be no crime in religion, it was impossible to deny the existence of that danger. The objections which the catholics had against the differences of the scriptures could not be forgotten; and notwithstanding the explanations which had been attempted on this point, the fact remained sufficiently proved. Even Dr. Doyle, in his recent examination, had said, in answering a question as to the infallibility of the church, that it was held to be infallible on all the articles of faith and with respect to the moral virtues. The bill before the house gave to the catholics a power of combining which they did not possess at present; and since the church was believed by them to be infallible on all points of moral duty, they might

not only be induced but compelled to combine for any purpose which might seem desirable to the head of the church. Without attempting to magnify this danger, it was enough for him to point out its existence, for the purpose of justifying his refusal to assent to every thing which might by a possibility, however remote, bring the established church of England into jeopardy. Attempts had already been made to invade the property of the church, and particularly the possessions attached to it in Ireland. The hon. member for Montrose (Mr. Hume), whose activity would prevent him from letting slip any advantage that might offer for effecting that system of reduction of which he was the advocate, would find his efforts countenanced and fortified by catholic members, who could not be expected to have any other feelings than those of hostility towards the church establishment. It was impossible to foresee what might be the success of a renewal of those attempts which had been hitherto defeated, when they should be backed by the influence to which he alluded. Looking at the bill in the various points of view which presented themselves, he believed that it would aggravate the evils which it pretended to remedy. Such were the objections he felt against this measure; and a sense of the duty which rested upon him, and an earnest desire to preserve the established religion and liberties of the country from all crafty devices and open attacks which should be attempted against them, compelled him to express those objections. From a sincere belief that the bill now before the house was only the opening to a series

of measures, the ultimate object of which was the subversion of those principles on which the Reformation was effected, and the Revolution was established, he offered it his decided opposition, and he trusted that he should have the support of the house in the vote which he intended to give.

Lord Binning observed, that the hon. member who had last addressed the house afforded another instance of the power of conviction. He had never listened to any speech with greater pleasure than to that with which the hon. member for Armagh (*Mr. Brownlow*) commenced the debate on this subject on a former evening. The hon. member displayed, on that occasion, the talent which he had always given him credit for; but he also showed that he possessed qualities which were even more worthy of admiration—namely, courage and ingenuousness. The same observations might be applied to the speech of a gallant officer (*Colonel Forde*), who also on a former evening recanted his opinions on this important subject. The right hon. secretary for Ireland, however, still persevered in his opposition to the claims of the catholics to be admitted to the privileges which were enjoyed by the rest of their fellow-subjects. The right hon. gentleman had, in the course of his speech, given a melancholy description of the state of Ireland. In the correctness of that description he agreed; but he could not in the conclusion to which the right hon. gentleman had come to on the subject. For what did the right hon. gentleman propose to do? To leave things as they were. He (*Lord Binning*) came

to quite a different conclusion. He proposed to strengthen the established church in Ireland by taking from it ramparts which tended rather to weaken than to strengthen it. The right hon. secretary had described the church in Ireland as supported merely by law—he wished to superadd to that security the respect of the people. He concurred with a noble lord (*Milton*), who had declared that the security of the protestant church was to be found in the truth of its doctrines; that would do more for the support of the church than all the laws now in existence. He could not help congratulating the house on the great improvement which was perceptible in the manner of conducting the debate on this important subject of late years, as compared with that of former years. He remembered that when the catholic claims were to be discussed, it was the custom, a few years ago, for an hon. and learned member (*Dr. Duigenan*) to come down to the house loaded with papers, and anathematize all the popes and councils of former ages, and attribute to the catholics of the present day the absurd doctrines of those ignorant times. He was usually followed by a hon. baronet (*Sir J. C. Hipplesey*) who read from ancient records long extracts to impugn the position of the hon. and learned gentleman. Fortunately, all that rubbish was now at an end. It was no longer imputed to catholics that it was a principle of their religion that they could not hold faith with heretics, or that catholics were compelled, at the command of the pope, to disobey their lawful princes. The evidence of

Dr. Doyle had been frequently made the subject of allusion, and its importance made it worthy of such distinction. It had always been the habit of the opponents of the catholics to say, "It is very well for you protestants to disclaim the doctrines which we impute to the catholics, but let us hear a catholic bishop do so." Now the friends of the catholics had given them the evidence of a catholic bishop, and yet their opponents were not satisfied with it. It had, much to his surprise, been made a matter of complaint, that the oath contained in the bill pledged the catholics to deny the temporal authority of the pope. He said that this objection surprised him, because it was always on the ground of the interference of the pope in temporal concerns, that concession to the catholics had been declared to be dangerous. Whilst he was on the subject of oaths, he must declare that he thought some change was necessary to be made with respect to those oaths which protestants were obliged to take on entering parliament. It was not civil to call people idolaters, particularly when it happened not to be true. It had been stated by the honourable member for Derry, that the opinions contained in the evidence of Dr. Doyle, and in the letters published under the signature of J. K. L., of which Dr. Doyle was the author, were at variance. He had read the letters in question, as well as the evidence of the reverend gentlemen, and he must confess that he could not discover any inconsistency between them. The hon. member here read several passages from the evidence and the letters of Dr. Doyle, to

corroborate his opinion. The denial of the doctrines which had hitherto been supposed to form part of the catholic creed, did not rest with Dr. Doyle, but was also made by the Archbishop of Dublin, the Archbishop of Armagh, the primate of Ireland, and Mr. Blake. Surely Archbishop Murray could not be answerable for the writings of his brother, Dr. Doyle. He believed that the respectable individuals to whom he had alluded were incapable of telling a lie to the committee of the house of commons, or of perjuring themselves before the house of lords. He joined the member for Armagh in placing complete reliance upon the evidence which had been given before the committees. He would say a few words with respect to the two measures which it was understood were to be consequent upon the passing of the bill before the house. First, with regard to the disfranchisement of the 40s. freeholders. He would not willingly consent to deprive any man, however humble, of a privilege which he possessed. But it was necessary to consider who were the 40s. freeholders. It was in evidence that they felt no attachment to the privilege in question; but, on the contrary, that they would gladly resign it. He could not conceive that their disfranchisement would ever be drawn into a precedent, because, before a similar measure could be adopted, it would be necessary that there should be a country or district placed in precisely the same circumstances as Ireland, and in addition that there should exist the same motive for the measure: that motive was the settlement of the country. Under these

these circumstances, he was disposed to consent to the measure which the protestants of Ireland called for, and which the catholics were disposed to agree to. The hon. member for Corfe Castle (Mr. Bankes) objected to the expense which would be caused by making a provision for the catholic clergy. He could not stop to argue the point. Economy on such an occasion was misplaced. If he were convinced that it was necessary for the safety of the state to pay the Roman-catholic priesthood, he would do it without caring for the expense. Whether the expense would be one, or two, or three hundred thousand pounds, it was not worthy of a great and wealthy country to consider. The right hon. secretary for Ireland said, that it would be extremely hard to make the presbyterians of Scotland, and the dissenters, and the members of the established church in England, pay for the support of a church which they did not approve of. That was the very thing of which six millions of catholics in Ireland complained. They were compelled to support a church to which they did not belong, and of which they did not approve. The Roman-catholic church existed in Ireland, and could not be got rid of; and the only question to be determined was, whether it should exist in a way which was safe and advantageous for the country, or in a way which must be the source of constant danger. He congratulated the friends of the catholics on the great progress which their cause had made. He was convinced that it was in a bill like that before the house that a remedy for the evils of Ireland was to be

found. It was necessary to begin the task of amelioration by tranquillizing the hearts and minds of the Irish people. The misery of the present state of things was, that every thing which came to the people of Ireland was poisoned at its source; even the fountain of justice tasted of bitterness. The case would be different if the people of that country should no longer feel themselves a degraded and stigmatized class. He trusted that the house would continue sending up bills like the present to the other house, until the united sense of both houses should impose on government the necessity of doing that which parliament in its justice and wisdom had thought fit to enact.

Mr. Wallace expressed his belief that the bill would fail of producing those effects which its supporters anticipated from it.

Mr. Portman and *Lord Valletort* supported the bill.

Mr. Canning said, often as he had spoken upon the question, he could not approach it at the present crisis without deep anxiety; and yet he met it under some circumstances which were both cheering and extraordinary. Whether or no the opinions of the country were as strongly pronounced in opposition to the catholic claims now as they had been formerly, he would not undertake to say; but of this he was certain, that among the petitions which had been presented against those claims, however perfect their zeal and sincerity, there had been some which displayed an extreme ignorance—he meant to use the expression without disparagement—of the state of the existing law, and the merits of the general question.

tion. He felt—he should ever feel—that the opinions of the country should be received by the house with open doors. They deserved to be considered, whatever was their effect, with the utmost respect and deliberation. But after bestowing that consideration upon public opinion as presented to it, the duty of the house was to proceed, and firmly, upon its own judgment. With respect, therefore, to any class of persons who imagined themselves more particularly interested on the present occasion, and placed in the advance, as it were, as guardians, in a religious point of view, of the rights of the constitution—with respect to the clergy of England—he gave them not only toleration but praise, when they came forward with the fair expression of their opinions; but, even in the petitions presented by that body, he had found some portion of the quality to which he had already alluded—some ignorance, in fact, of the real state in which the law as affecting the catholics stood at present. The ignorance which he was now describing, he imputed as no blame. The individuals in whom he discovered it shared it, perhaps, with many members of that house who had not the same excuse of professional avocations to divert their attention from such topics. But the fact was as he stated it; and the charge applied peculiarly to one petition, which he would not mention by the name of the place from whence it came, but which opposed the measure now pending upon so entire a mistake as to the purpose meant to be effected by it, that it actually prayed the house not to grant to the Roman-catholic privileges and

immunities which were not enjoyed by any other class of dissenters. Upon the very words of this petition he would contend, that there was nothing which if taken in their literal meaning could militate against the bill before the house. The dissenters had a voice in the legislation. They had facilities of access to seats in that house, of which the Roman-catholics were deprived, and yet they sought to exclude others from advantages which they themselves enjoyed. Now if the house could act on this petition, it would place the catholic dissenters on the same footing as other dissenters, and to that the prayer of the petitioners was addressed. The petition did not go to the removal of all political differences on account of religion. On this he would rest. He was an advocate for an established church, and he would not sanction any measure, which even in name would appear hostile to that establishment, unless it was shown that it was necessary to the removal of a practical grievance. What was the fact here? It was, that men who sat with them, and shared their councils, called upon them to continue the exclusion of others who were no greater dissenters than themselves. When he saw such a petition come before the house, he was induced to pass it by, not with disrespect, but certainly not with any very great degree of attention. Looking at some of the petitions which had come before them from dissenters, he was struck forcibly with the language which they conveyed on the subject of religious differences; the more so, as coming from men who themselves differed so widely from the established church; and

as the present debate had more than usual turned upon theological questions, he would say one or two words upon it. It was strange that such sympathy should be felt for one class of dissenters, and not for another. The sympathy, he thought, should in many instances be the other way. What was it which kept the Roman-catholics from taking their seats in that house? The oath against transubstantiation. But did the house forget, there might be men amongst their members who believed in consubstantiation—the doctrine which had been avowed and taught by Luther? Did they believe that man a traitor whose creed embraced the one, but rejected the other? He did not say there was no difference between the two opinions; but was that difference of a nature to justify the political distinction? The man who could make it a ground for exclusion from political power, who should contend that the one believer was to be admitted, and the other excluded from a seat in that house, must have a minute perception of the niceties of ratiocination, for which he might be envied as a logician, but which was wholly useless for the purposes of common life. The next ground of objection was, that the catholics held the doctrines of exclusive salvation. Why, almost all the churches were exclusive on some articles; and let not hon. members who urged this objection forget that the church of England held the Athanasian creed—a human exposition of the great mysteries of christianity, and held it with the expressed declaration that they who differed from it could not be saved. With this fact before them,

could the catholics with any fairness be excluded from the enjoyment of their civil rights on the ground of believing in the doctrine of exclusion? The doctrine of absolution was the next ground on which the opponents of the bill rested. He would admit, that in the abstract that doctrine was absurd; but the evidence before the committee of the house of lords went to prove, that the absolution depended on the disposition of the party receiving it, and not on the abstract power of the person giving. It depended on the sincere repentance of the party who received it, on his disposition to amend, and on his resolution to repair, as far as he could, any injuries he might have inflicted. Was this an opinion confined to the Roman-catholic? Let any man read the instructions for the visitation of the sick, as directed by the church of England, and he would find that the power of absolving might be exercised, and was resorted to, when the sick party desired it. There were points in which, essentially, there was very slight difference between the two religions. He did not mean to say there were no important distinctions between the protestant and catholic creeds. There were, he admitted, many distinctions, and they were such as made him heartily glad that the latter had separated from them; but they were not such, as that the one should be refused that eligibility to power which the other possessed. He did not wish to be understood as saying that there was no very material difference between the church of England and some of those christians who dissented from it; but let

let it be remembered, that while some honourable members turned up their eyes in astonishment at the thought of admitting to the privileges of the constitution those who differed from them in some minor points, they made no scruple of sitting, and voting, and acting, in constant and social fellowship, with those who denied the divinity of our Saviour. If there was a difference which at all could merit exclusion, this was certainly a stronger mark of it than any which could be discovered between the established church and the Roman-catholics. The next objection—and it was one which he could not expect to have heard—that the Roman-catholics attached an over-weening value to the merits of human actions.—Why, that he should consider more likely to operate for the good of the state, than a contrary doctrine. Was it likely to make men better subjects to believe that good works were of no value, but that faith was every thing? For his part, he should prefer as subjects of a state those men who believed that good works were of some value, than the men who held that works were nothing, and that every one was fated to his lot. Let honourable members refer to history, and see what it taught on this subject. Let them refer to the political differences by which the country was once violently agitated. Who were they who brought the monarch to the block? Who stripped episcopacy of the mitre, and of all its spiritual authority, and temporal possessions? The papists? No; but they who were most violently opposed to them, and who were earnest in their exertions to deprive them of all influence and

authority—men, also, who professed little respect for the value of good works, but who relied mainly on faith, and almost on that alone. The objection, then, to the Roman-catholics on the ground of the value they set upon good works, was one to which no weight could for a moment be attached. Neither did he see any valid objection in the argument drawn from the belief in the spiritual supremacy of the pope. The question was not whether it was acted upon by the catholics, but whether it was acted upon in such a way as to make it dangerous to the state. He did not on this subject rest alone on the evidence of Dr. Doyle, but he must contend that the insinuations thrown out against the testimony of that reverend divine was not warranted by the fact. It had, he knew, been more than insinuated, that that reverend gentleman held one language before a committee of the house of lords, and another to the public; but he would put it to the house, whether a gentleman of his character (putting aside the oath which seemed to be so little relied upon by many of those opposed to the present question) would have stated that which must, in a very short time, have become known to so many others of his creed—which must have become known to his flock, and to the pope himself, (the terror of whose name it was said was calculated to make so strong an impression)—he would put it, whether, when so many of his own faith, many of them his reverend brethren in the ministry, were in the next room, and might be called in and give a different testimony, he would have gravely stated that which he knew was not well founded?

ed? He could not believe that, under those circumstances, he would have told any thing but that which he firmly believed to be true. It might then be taken that the opinion of Dr. Doyle was the opinion of the catholics in general. That such was the opinion of other times he had no doubt, and he lately fell upon a direct illustration of it in the correspondence between Pope (the poet) and Bishop Atterbury. Pope, as every gentleman knew, was a Roman-catholic; and his friend the bishop, in a very laudable zeal, was anxious to convert his friend to the protestant faith, for which purpose he wrote to him, pointing out what he considered the errors of his faith, and pressing him to renounce it. Pope, in reply, expressed a hope that all churches and churchmen were right in the belief of what they taught their flocks; but if they were wrong, he hoped God would incline them to reform. He added, that he was not a papist, that he renounced the temporal authority of the pope, and disallowed all his pretensions to such power; but that still he was a catholic in the strictest sense of the word. Why, this was not more than had been said by Dr. Doyle. It bore the marks of that confidential and honest opinion which men gave in private correspondence. It was in keeping with his known opinions, and yet it was an absurdity of which Pope was guilty, and with which Atterbury was satisfied. It was said as another objection to the concession of any political power to the catholics, that they were (in Ireland) under the guidance of men whom they regarded with a veneration bordering on idolatry. He admitted the

fact; but he laid the blame on another quarter. If they were idolatrous in their devotion to their priests, we were to blame; if they bowed down before idols, it was our persecution which had set them up. We had left them no other objects of political reverence. Let us, however, lift up the veil of the constitution, show them the idol which we worshipped, point out the benefits that we enjoyed, and make them partakers of those benefits; and we should wean them for ever from the imputed crimes of political idolatry and superstition. The right hon. gentleman then proceeded to contend, that it was absurd to deny that the catholics laboured under heavy grievances. He maintained that these grievances were most severely felt, and that the remedy, if we did not anticipate it, would force itself upon us. The change must be made, and it was better that it should be effected while it might be brought about with manifest advantage to the country. Could it be expected that the catholics would rest contented under the stigma of their present numerous political disabilities? Was it to be imagined that they would go about without repining at those badges of degradation which the penal code hung about them? It was preposterous to believe it. But the removal of those marks of disgrace would, it seemed, be attended with danger to the constitution. If any such danger existed, most certainly it would not be lessened by delay. To obviate the danger, if any there was, it should be met with promptitude, and the boon which would remove it should be granted with an

an earnest anxiety to do justice. He was surprised at the coolness with which, in a question of this kind, calculations were made of what might be the advantages or disadvantages of remedying an admitted evil, and delaying that remedy because some disadvantage might possibly result. He did not deny that the question, as was contended by the hon. member for Derry, was attended with difficulties, but the cure was in our possession. The penal laws were not of our framing; but it was not quite fair to those by whom they were enacted, to say, that they legislated under circumstances similar to those under which we lived. At the time when the great part of these laws were enacted, the country was convulsed with the disorders of a disputed succession, and the religion of the party hostile to the existing government was looked upon as the mark of their politics. As such it was prescribed, not so much to put down that particular form of worship, as to crush the political party who professed it. The catholics were attacked by those who had felt their power when they possessed the political ascendancy, or who dreaded it if they should again become successful. It was therefore unjust to our ancestors, to judge of their opinions of the religion, by their conduct to the catholic jacobins of the day. They sought to weaken the power of those about whose extermination they had some scruples. They chose a cruel mode of effecting that object, but it answered its purpose. The rack was a horrible engine of torture, but it was a beautiful piece of mechanism;

and the penal code was dreadful, but it was admirably adapted to its use. It set father against son, wife against husband—it entered into and dissevered all the relations of domestic and social life—it impoverished, degraded, and debased, where it was carried into full operation, and threw a million of human beings into a state of complete moral and political misery. But when this cruel code had nearly exhausted its powers, when the last turn had been given to the wheel, the English government, ashamed of its proceedings, relented and began to retract. What the legislature did in 1778 was the first step to this merciful change: what was done since that period, and what was now proposed, were parts of a benignant system, by which it was proposed to end the season of persecution. The evil was not, it was true, of our creation, but we had the remedy in our hands. He confessed he had often turned away with disgust at the cruel enactments, which, by a perverse ingenuity, sought out the most tender spots on which to inflict the wound with more poignant suffering to the victim. He had seen with disgust those ingenious devices of moral and political oppression; but he now looked upon them with pleasure—a pleasure, however, caused only by the hope, that he was looking at them for the last time, and that justice, though tardy, would at length effect their entire removal. He trusted hon. members would cease to alarm themselves at the difficulties which might attend that removal. The task was only rendered dangerous by our own timidity in attempting it.

“Who

— "Who but felt of late,
 When the fierce foe hung on our broken
 rear
 Insulting, and pursued us through the
 deep,
 With what compulsion and laborious
 flight
 We sunk thus low? Th' ascent is easy
 then."

What was there to deter us from this glorious effort? Was it the fear, that after we had emancipated the catholics they might turn their newly-acquired power against us? Was that probable? Or, suppose it possible, could such an attempt be successful? Compared with the great body with whom they would have in that case to contend, their strength would be harmless. It was admitted that we could not go back and re-enact the penal code, great part of which we had most wisely abolished. Could we, he would ask, remain as we now were? It was impossible. We had every day proof of the decline of prejudice and intolerance amongst us. They had, since the commencement of this debate on Tuesday evening, witnessed a splendid illustration of this in the manner in which prejudices and feelings of long standing had given way. The manly and candid manner in which that change was avowed, afforded a still stronger illustration of the truth, that the times had changed. They had also proofs that this liberal policy would be met with corresponding feelings on the part of the Roman-catholics. He had ever set himself against any thing like contract or treaty with that body. The business of the house was to legislate for them, and that they might do without risk of danger to the country. What would be the effect, if they waited

until the catholics had increased in wealth, in intelligence, in activity, and industry, with an augmented population? Did the house not feel, that this intelligence, and industry, and wealth, would open to the catholics a new and wider field of action?—that they would naturally have the ambition of possessing that political rank which belonged to their wealth and station in society? Did not the house think they would be doing too little in raising them from that state of degradation in which our ancestors had placed them? Would it be sufficient to raise them only to a nearer view of what they might enjoy, and yet continue to withhold it? It would be better, far, to have allowed them to remain in the debased and degraded condition to which they had been sunk, than to raise them partially, and then endeavour to prevent their further elevation. An hon. friend of his had talked of the admission of the catholics, and danger to the constitution. There was a distance between the premises and the conclusion in this objection. He should like to see the link which connected the two. Was it force? Why, there was more need of physical force to a door that was shut than to one open. Or it might happen, as was sometimes done by a certain class of persons in the metropolis, that if the door was fastened against them, they got in at the window. It was, however, in the case before the house, much more wise to admit the parties gratuitously, than to allow them to make the attempt themselves. It should also be remembered that it was not power which the catholics sought, but eligibility—not fruition,

tion, but the capacity to enjoy. The right hon. gentleman then proceeded to point out the absurdity of supposing that men, who by great industry and active exertion had possessed themselves of wealth, should, when they got political power, use it for the purpose of destroying the constitution. Suppose, at the first session after the bill passed, there were five or six catholics returned, what would be the effect? No doubt the new comers would at first be objects of curiosity, but after the novelty of the sight had worn off, the other members would sit by them in the same manner as their protestant associates in the legislature. He was certain that he should never expect to hear from a catholic member sentiments similar to those he had recently heard from the protestant representative of a catholic county. One of the objections to this bill was as to time. He would ask, would any man lay his hand to his heart and declare that the measure would not pass these 20 or 10 years? It was impossible to suppose that it could be delayed so long. Then, he would put it to the house whether there was any fair reason for the delay? Should they wait till times and circumstances should occur which would render it absolutely unavoidable, and when it must be conferred without calling forth the grateful acknowledgments of those to whom it was granted? Could Ireland be allowed to remain in her present state; or would it be wise, or politic, to call on her to bow down and worship that constitution from the benefits of which she was excluded? Either she must be supposed utterly incapable of appre-

ciating the benefits of emancipation, or altogether unworthy of it. If so, let the penal code be continued. If they believed, that in proportion as they rose in energy and power, and domestic prosperity of every kind—in proportion as they had no cause to dread danger from without or within, exactly in that proportion could a boon be given without the hazard of misconstruction. It would then appear not as if produced by intimidation. He hoped the house would never submit to the degradation of listening to menace; but times might arrive, and unlooked for chances might happen, which would render our compliance with the prayers of the catholics imperative. Were we to defer the boon until those events occurred which might take from the gift more than half its utility to the state? We were now at a height of prosperity which few could have anticipated some few years ago; was this glorious opportunity to be neglected?

“ — Non tamen erritum
Effingit infectumve reddet
Quod fugiens semel hora vexit.”

He would not then enter into the question of securities farther than observing, that he did not think we could have any better than those proposed. It was objected, that the oath in the bill was too long,—that it was more like a bill of indictment than an oath disavowing imputations; but it should be recollected, that when the last bill reached the other house, where existed a very nice sensibility on all those matters, the old oath was missed; and it was complained that the new one was too short. The old one was therefore restored in this bill. Its long tail was added;

yet this was no sooner done, than an hon. member found fault with it as unsightly and unseemly. It might, on some grounds, be objectionable. He was ready to make such an admission, but then he wished it to be recollected that it was rather the admission of his hon. friend than of himself. The obnoxious part, however, of this oath was taken from the oath of 1793. It was therefore unfair in his hon. friend to attack the supporters of this measure at the present hour, for that which was no invention of theirs, which they would have omitted, had it been left to their discretion, and which they had only inserted, to satisfy the scruples of those who saw danger in every concession that was made to the catholics. He would beg leave to enter a little more at large into this part of the question. In the first place, he considered that this security must always be measured by what was calculated to satisfy the protestant interests of the country. He conceived that no security, much less this species of security, could come up to his hon. friend's idea; because the framers of this bill did not intend to cure any mischief of its creation, but a mischief which was the creation of the present system. His honourable friend had argued the question as if the framers of the bill were instituting a correspondence with the court of Rome, and were guarding against a danger which they foresaw from it by this security; whereas the reverse was the case; the correspondence was going on daily, and they were only attempting to regulate and restrain it. He repeated, that a correspondence was carried on every day between the

bishops of Ireland and the court of Rome. Every thing that related to the affairs of the priesthood, and much of what related to the most important concerns of private life—he alluded to marriages and to baptisms—was regularly communicated to the court of Rome. Such communications were in direct contravention of the existing laws; but then the penalties attached to the violation of them were so enormous, that no man of common humanity would ever wish to see them enforced. Therefore it was, that the authors of this bill, whilst they were considering how they could best cure the evils of the present system, determined to cure this collateral evil which arose out of it. If the opponents of this measure believed a correspondence with the court of Rome to be so full of danger, he called upon them to find a remedy for that evil which was now in full existence, and a remedy which they dared to carry into full execution. The penalties inflicted upon any person carrying on such a correspondence were heavy in the extreme. He had recently had occasion to ascertain that point. Soon after he entered upon his present office as secretary for foreign affairs, a letter was addressed to his Majesty by the pope. In the routine of business, it was transmitted to his office, and the receipt of it placed him in a situation of some difficulty. He felt that he could not advise the king to answer it until he had consulted the law-officers of the crown as to the legality of such a proceeding. A case was accordingly submitted to them, and he then found, as he had previously expected, that he should render himself

himself liable to a *præmunire*, if he ventured to reply to such a communication. The result was, that up to this day, the pope's letter remained unanswered. Such were the evils of the present system; and he trusted that those who saw so much danger in holding correspondence with the court of Rome, would, if they rejected this measure, out of their extraordinary and eleemosynary kindness, devise some means by which it might be remedied. He was willing to adopt any reasonable suggestion which they might throw out; and, for his own part, he would confess that he would rather that the catholic should swear at once that he would not attack the church establishment, than that he should take that long oath, which, be it recollected, was originally devised as a taunt against his religion, though it was now proposed as a limitation to his capability of acquiring power. He should now say a few words with regard to two or three of the measures which it was said were to be combined with that which now formed the subject of their discussion. He should begin by saying, that he should be content to take the bill as it now stood, without any of the measures which it was in the contemplation of some members to add to it. He was ready to say, that with regard to one of these measures, he had much to learn before he could make up his mind to support it. The leaning, however, of his mind was, to declare that if by disfranchising part of the population of Ireland, or rather if by raising the elective franchise to a higher qualification than that which it stood at present, he could render those who had

long been our avowed and inveterate enemies our sincere and attached friends, he would be ready "to do a little wrong," in order "to do a great right." He made this declaration under the idea that a freehold qualification of 40*s.* in Ireland was a very different thing from a freehold qualification of the same nominal value in England. If it could be shown to him, as he expected that it would be shown to him in the committee, that in striking at this symbol of freedom, he was not violating the essence of free election, he should be ready to take his share in the obloquy, supposing any obloquy attended such a measure, of disfranchising the forty-shilling freeholders, if by so doing, he could effect a great and permanent good to the community at large. With regard to the second measure, he would own that for some time past he had looked upon it with considerable favour; and that nothing which he had heard in the course of this debate had induced him to alter his opinion, that it was expedient for this government to make some provision for the clergy of the Roman-catholic church. An hon. friend of his had objected to taxing the protestant part of the community in order to raise the funds out of which this *regium donum* to the catholic clergy was to be made. Now, in reply to that objection, he would ask whether the catholics did not pay the taxes out of which the *regium donum* to a portion of the protestant church was yearly granted? Was it not upon the ground stated by his hon. friend, a grievance of the catholic that he should pay tithe to a protestant clergyman, whose

whose doctrines he abhorred, and from whom he never demanded religious consolation? Did he (Mr. Canning) therefore say that the tithe should be withdrawn from the protestant clergyman? No such thing. To every thing which could ameliorate the system of collecting it,—to every thing which tended to shift the burden of it from those who could not to those who could bear it, he was willing to give his consideration; but to any measure which went to invade the property of the Irish protestant church, and to alienate the funds which had been assigned by our ancestors for its support, he was not prepared to give even a momentary assent. Letting that point, however, pass for the present, he must remark, that when his hon. friend talked about the contingent hardship of taxing the protestant to pay the catholic clergyman, he seemed to have forgotten the existing hardship of taxing the catholic to pay the protestant clergyman. The *regium donum* was the very same measure in point of principle which it was now proposed to carry into execution with regard to the catholic. It was willingly paid by the country to the one; and he could see no good reason why it should not also be paid to the other. He had thought it fair to state the impression on his mind with regard to the disfranchisement of the forty-shilling freeholders, and to the provision for the catholic clergy, because many of the gentlemen who had taken a share in this discussion had coupled their support of the present bill with that of those two measures. For the sake of their

support he should be anxious, if he could, to vote in favour of those measures; but in case they should not be carried, he would not say that he would withdraw his support from the present bill. He did not pretend to wed himself for life to either of those measures; but to the great question—that question which involved the future tranquillity of Ireland and the general welfare of the whole empire—he declared now, as he had declared before, that he was wedded for ever. There was one other subject on which he wished to say a few words before he concluded. He had already considered how far this question affected the internal situation of Ireland. The house ought to reflect, that in proportion as we became great and powerful, and as our resources outgrew the resources of other nations, it was not impossible,—nay, it was rather probable,—that among nations, as frequently happened among individuals, an invidious feeling would rise up against our pre-eminence. Other nations would look for consolation in any weakness or defect they might observe, either in our form of government, or in the condition of our empire. And when they were engaged in such a task, where would they look more readily than to Ireland? They would fasten, as if by instinct, on the state in which we kept the catholic population of that country. They would say, “There is the weakness—there is the vulnerable point of England;” and the worst of it would be, that they would say this with great semblance of truth. Insensible as the house might think the country to attack, it was his duty to tell it, that it was

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cherishing a wound which was seated so near to its most vital parts, that no great violence would be wanted to render it fatal. He advised the house to disappoint those who wished us ill, by rendering our power united in that quarter, where they expected to find it divided, by closing the wound which had long remained open and bleeding, and by taking care that before we were again called upon to vindicate the national honour, it was so far healed that not even a cicatrice was left behind it. Such a state of things was as possible as it was desirable; and his earnest prayer was, that they would adopt such measures as would tend to accelerate so blessed a consummation.

Mr. Peel.—The house would, he was sure, believe him, when he stated that nothing could be more gratifying to himself individually, than to be spared the painful duty of addressing it upon this occasion. The subject, though important in itself, was one on which he had so often obtained an indulgent hearing from the house, that he felt considerable reluctance in claiming it once more, and that reluctance was rather increased than diminished, when he recollected that he had not only to follow his right hon. friend, but also to state the grounds on which he differed from him in opinion. His right hon. friend knew with what cordiality he (Mr. Peel) agreed with him upon every other occasion; and would therefore readily give him credit for sincerity, when he declared that it gave him the utmost concern to differ from him on the present. But if he saw greater danger and less benefit arising from this bill than his right

hon. friend did, if he thought that less evil would accrue to the country by adhering to the existing system, than by departing from it, he was sure that he should not lose the esteem of his right hon. friend in publicly stating the grounds on which he came to so different a conclusion. Before he noticed the various topics to which his right hon. friend had alluded, he would begin with that which appeared to form the chief feature in the present debate—he meant the conversion of several members who had formerly taken the same view of this question that he was now going to take. He had heard, and with the most perfect conviction of his sincerity, the avowal of the hon. member for Armagh, that he had changed his opinion upon it. If he (Mr. Peel) had changed his own opinion, he should have been most ready to avow it; but as he had not changed it, he trusted that his hon. friend would give him the same credit for purity of motive in retaining it that he gave to him (Mr. Brownlow) in abandoning it. On this question, he had always pursued a course which he considered a course of moderate opposition to the claims of the catholics. His opposition to them was decided, but unmixed, he trusted, with any feelings of ill-will or animosity. He never said that the number of petitions presented against them was an insuperable bar to conceding them; he had never encouraged the presentation of any petitions. If no petitions had been presented on the subject, he should have acted upon his own judgment, and should have opposed the claims, as he now intended to oppose them, just as he should have admitted that, had the

the petitions been ten times as numerous as they now were, they formed no insuperable bar to the granting of the claims, supposing the house felt that the alarm which had given rise to them had no justifiable foundation. He therefore agreed with his right hon. friend, that though the number of petitions which had recently been presented was an indication that this measure, if carried into a law, would not give universal satisfaction, still it left the house in perfect liberty to grant the claims of the catholics, if it were of opinion that in point of equity and expediency they ought to be granted. To return, however, to the point from which he had unintentionally digressed. He had been noticing the conversion of his hon. friend the member for Armagh, and had been proceeding to offer a few remarks on the nature of it. His hon. friend had said, that in consequence of the attention he had given to the evidence which had been tendered before a recent committee, the ground on which he had formerly opposed emancipation had been entirely cut away from under him. If that were the case, he could only say that it convinced him that the grounds upon which his hon. friend had opposed it, had always been very different from those upon which he opposed it. His hon. friend declared that his opposition to the catholics had relaxed, because he had heard Dr. Doyle deny that it was a tenet of the catholic church that the pope had power to excommunicate princes and to depose them from their sovereignty—that faith should not be kept with heretics,—and that the temporal power of the pope was

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not admitted in Ireland. Now this was not the first time that all these tenets had been solemnly disclaimed by the catholic church. Had his hon. friend been so long in the habit of opposing the catholic claims without hearing of the answers of the foreign universities to the queries propounded to them by Mr. Pitt? If he had at all examined into the point, he would have found that all the answers received by Mr. Pitt contained an express denial of the three tenets he had just mentioned; he would have found the same denial avouched in the oath which the catholics now took; he would have found that they had long abandoned, in word at least, the temporal authority of the pope; and therefore, if he was now satisfied, for the first time, upon these topics, he had not attended with sufficient care to the evidence which had already been collected and submitted to the notice of parliament. But, said his hon. friend, "matters cannot long stand as they now are; and therefore, in order to bring them to some better arrangement, I will vote for the second reading of this bill." His hon. friend, however, went on to add, that unless some other measures were attached to it in the committee, his assent would be recalled, and he should oppose it on the third reading. For his own part, he (Mr. Peel) must confess that he was somewhat surprised by the conduct of his hon. friend. His hon. friend said that he voted for the bill because he wished to have a better settlement of matters than now existed; and yet, if the measures to which he alluded were not carried, he was going to pursue that

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line of conduct which was likely to leave matters just in the same state that they were at present. Now, as he (Mr. Peel) did not attach any very great interest to the two measures to which his hon. friend attached so much—he meant the alteration in the elective franchise, and the qualified establishment of the catholic priesthood—he thought he was taking a more consistent course than his hon. friend was, in giving his decided opposition to the second reading of this bill. His right hon. friend had referred to the petitions which had been presented against it, and had said that they were founded in erroneous notions, that they exhibited absurd apprehensions of danger, and that they evinced the most extraordinary ignorance of its nature and its provisions. In proof of his assertion, his right hon. friend had alluded particularly to one petition, which certainly did make out the charge which he had advanced against them. The persons who signed that petition approached the house with all humility, and prayed it not to place the Roman-catholics, as it was going to do, in a better situation than that in which it had placed protestant dissenters. His right hon. friend had said, and said truly, that the object of this bill was only to place the Roman-catholics on the same terms with the protestant dissenters; and had then proceeded, with his usual talents for raillery, to ridicule the error into which the petitioners had fallen. Undoubtedly the petitioners, if they looked at the bill, would see that they had committed a mistake; but their mistake was pardonable, if they had had access to a recent speech of

his right hon. friend the attorney-general for Ireland, who had demanded in that house for the catholics an equality of civil privileges as their abstract natural right, and had said that a refusal of their claims would be as unjustifiable in point of moral justice as a downright invasion of their property. After such a declaration, the petitioners had almost a right to say that the effect of this bill was to give to the Roman-catholics privileges superior to those enjoyed by the dissenters, since the dissenters were protected by annual indemnity bills, and yet no such protection was deemed necessary for the catholics. His right hon. friend had likewise noticed the petitions of the clergy against this bill, and had thought it strange that so much theological discussion should have been introduced into them. His (Mr. Peel) could not participate at all in that surprise. The second clause in the preamble to the bill referred to “the doctrine, discipline, and government of the protestant episcopal church of England and Ireland,” and stated, that it was essential to preserve it “permanently and inviolably.” And yet such alterations were now contemplated in the bill, that the clause was quite unnecessary. For the question was not any longer whether the house would admit catholics to a share of political privileges, but whether it would consent to a qualified establishment of a Roman-catholic church. Now, if the doctrine, discipline, and government of the church of England were to be permanently and inviolably maintained, it became necessary to consider what that doctrine, discipline, and government

vernment was, and where it was to be found explained. The doctrine of the church of England was to be found in what were called the Thirty-nine Articles. Amongst those articles he found one containing a protest against the establishment of the church of Rome. When, therefore, a clergyman of the church of England heard that measures were proposed in parliament for paying professors of that very religion against which he was bound in the discharge of his functions to protest, what was there in his religious creed to prevent him from petitioning firmly but respectfully against such a measure? In the articles of the church of England it was stated that the administration of the sacrament in a language which the vulgar could not understand, was contrary to the word of God — that the adoration of saints, the worshipping of images, and the sacrifice of the mass were not sanctioned by the bible; and that the pope had no jurisdiction, either temporal or spiritual, within this realm. Now, when the clergyman of the church of England was told that the doctrine, discipline, and government of his church was "established permanently and inviolably," and yet saw that it was intended to erect a modified establishment for another church which held as articles of implicit faith those articles which it condemned as contrary to the bible, and as unsanctioned by the word of God, had he not reason for thinking that the time was at length come in which his duty compelled him to introduce into his petition matter which trenched closely upon

theological discussion? He must confess that he was himself somewhat surprised at the two first clauses in the preamble of the present bill. They were as follows:—"Whereas the protestant succession to the imperial crown of this united kingdom and its dependencies, is, by the act for the further limitation of the crown, and the better securing the liberties of the subject, established permanently and inviolably: and whereas the protestant episcopal church of England and Ireland, and the doctrine, discipline, and government thereof, and likewise the protestant presbyterian church of Scotland, and the doctrine, discipline, and government thereof, are, by the respective acts of union between England and Scotland, and between Great Britain and Ireland, therein severally established permanently and inviolably." Now, why were these two clauses introduced into this bill? There was no clause in it which provided for the permanent and inviolable security of the protestant establishment. These clauses had some connexion with the first bill that was introduced by the late Mr. Grattan; for they were there followed by a third clause to this effect:—"And whereas it would tend to promote the interest of the same, and strengthen our free constitution, of which they are an essential part, if the civil and military disqualifications under which his Majesty's Roman-catholic subjects now laboured were removed." That clause was omitted in the present bill; for to say that the privileges which it conferred upon the catholics were intended to promote the interest of the church of England, and to

strengthen our free constitution, would be an absurdity too great for any man at this time of day to think of believing. He had some apprehension from these two clauses being still inserted in the preamble, that there was in the enactments of the bill something pregnant with hidden danger to the constitution. The house would recollect, that in the feast in *Macbeth*, that tyrant, before he goes round the table to pay his respects to his guests, expresses an anxiety for the presence of *Banquo*, whom he had doomed to die. One of the commentators has remarked, that this single touch of nature showed a greater consciousness of guilt in *Macbeth's* mind, and excited a stronger suspicion that he intended mischief to *Banquo*, than a thousand laboured speeches could have done. He thought that the anxiety for the welfare of the church of England exhibited in the preamble, and not followed up in any of the enactments of the bill, was one of those touches of nature which showed a consciousness of danger in the bosoms of the framers of the bill, and which ought to excite a lurking suspicion in the minds of the country, that all was not so correct in it as at first sight it appeared to be. The constitution, he contended, was virtually altered by this bill—the bill of rights was repealed by it. That bill provided by an enactment as solemn as an enactment could be, that the oath taken by every person on his admission to office should be the oath of supremacy, which asserts “that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence,

or authority, ecclesiastical or spiritual, within this realm.” This oath—he said nothing at present about the declaration against transubstantiation, which stood on different grounds—this oath, he said, was now to be repealed. He did not deny the right of the house of commons to alter this oath, if it so thought good; but he must say, that when they told him that they wished to secure to the church of England permanency and inviolability, and when they altered that act which provided for it most effectually, he had a right to ask what security they had to give him for the fulfilment of their promises? He was not going to deny that the maintenance of the succession to the crown in the protestant line, together with the necessity of two or three of its principal officers still remaining protestants, was an important security. Still it was worth while to examine what it amounted to. It amounted only to this—that an individual who came to the throne should make the declaration against transubstantiation, and should be in communion with the church of England. All the security of surrounding him with protestant counsellors was altered. This made it necessary to consider how it was that James the Second endeavoured to effect his purposes? “By the assistance of divers evil counsellors, judges, and ministers employed by him,” he used the language of the bill of rights, “did he endeavour to subvert and extirpate the protestant religion, and the laws and liberties of this kingdom.” The house would therefore see, though the king was obliged to be in communion

union with the church of England at his accession to the throne, he was left at liberty by this bill to make his selection of counsellors amongst his Roman-catholic subjects. What might be the consequence of such an event? He would suppose that the individual who filled the throne, after he had taken the oath against transubstantiation, found the grounds of his creed to be erroneous, and considered the ancient religion of the country to be the wisest and the best. He would suppose that he took advantage of the liberal doctrine which had been that night advanced, that a man's religious opinions were not matter of his own choice, and that it would be the height of intolerance to subject him to any disqualification on that account. Now he would say, that if a king or queen of this country, with a mind liable to the influence of designing persons, after his accession, were to become a convert to the catholic faith, and were to declare his adherence to it, the peace and tranquillity of the country would rest on the will of a single mind. He believed that an attempt to dismiss that individual from the throne, because he had, upon conscientious principles, changed his religious faith, would be productive of very serious convulsions in the country. In the reign of James II. it had produced them; and in that of Charles II. the suspicion of such an event had given rise to the precautions which it was the object of the present bill to get rid of for ever. He knew that such an event might occur under the present system; but if the ancient barriers of the constitution were broken down,

and the sovereign were enabled to surround himself with catholic advisers, facilities for it would be created which at present had no existence. He allowed that the danger he was now describing was merely speculative; but when the fundamental laws of the country were going to be repealed, it was right to look even at speculative danger. The hon. member for Plympton had told them that they were not to look at the clouds with a telescope, and to disregard the evil at their feet. Agreed, but still they were bound to be cautious; and if they saw a cloud in the sky, which at present was not larger than a man's hand, they ought to recollect that it might, ere long, overcast the sky, and involve the whole face of nature in gloom and desolation. The right hon. gentleman then entered into a review of the penal laws and the danger likely to arise from the repeal of them to the church of England. The church of Rome was once in possession of all the temporalities which the church of England now possessed, and must, therefore, consider it in the light of a corporation which had unjustly deprived them of its due rights. It appeared to him that a Roman-catholic must, without any imputation on his moral character, view our establishment in such a light as would make it unsafe for him to legislate upon it, and he therefore thought it safer to exclude him at once, than to call him to give securities in a long oath for his good conduct. When he was told that the protestant establishment would be safe under such a system, he was obliged to make some observations on the evidence of Dr. Doyle before the committee,

committee, and on his written publications as J. K. L. He contended, at great length, that the opinions of Dr. Doyle, published under that signature, were likely to be sincere, and that they deserved particular attention, because they were contained not in an angry polemical pamphlet, but in a letter written with calmness and deliberation. The rev. doctor gave this opinion with regard to the catholics of England. "The catholics," said he, "are now emerging from persecution and forming their society anew. Their sufferings are not effaced from their recollection, and cannot be so. As a religious body, the church of England ought not to exist." And what had not Dr. Doyle said of the protestant church? Why this—that "the most heart-rending curse on the land-owners was the church establishment of Ireland." And again, that, like the scorpion, it stung, and drew the blood of the people. This was the language used of the protestant church by the most acute and learned of the Roman-catholic churchmen; and he begged, therefore, to be excused for entertaining doubts of the expected efficacy of the measure of conciliation, as it was called, now in progress, with persons professing to hold such sentiments. So that, with whatever qualifications this bill was accompanied, he hoped he should be also excused by his hon. friend the member for Armagh (Mr. Brownlow) in not confessing himself to be converted by the new lights which had been shed upon the question. As to the incorporation of the Roman-catholic clergy with the state, he would fairly own that he objected

to it, not because they believed in the doctrine of transubstantiation, but because he could not reconcile himself to the operation of that civil influence which he believed to attach to their religious system, and which held a sway over the temporal conduct of mankind. It was not of the religious, but of the civil tendency of the doctrines that he complained; and while he was ready to treat with charity and tenderness the private scruples of any man's conscience, he could not behold with complaisance such a branch of faith as that of confession, which (and he avowed it with sorrow) tolerated one man's communication to another of his intention to commit a murder, but restrained that other from divulging the information to the intended victim. A good deal had been very adroitly said by his right hon. friend of the distinction between transubstantiation and consubstantiation, and of the manner in which the doctrine of absolution was maintained in other countries; but there was a wide difference in this respect with what was taught the catholics, and the impression made in consequence upon the minds of an ignorant and credulous peasantry, who were disallowed the privilege of reading the scriptures, and forming a just judgment for themselves upon these doctrinal points. He could himself understand the distinction attempted to be drawn between the extent of the power of absolution supposed to be enjoyed by bishops, as distinguished from that held by the priesthood; but did the ignorant peasant make all these nice calculations, and weigh them justly in a moral scale? Then as to the doctrine

of indulgences, and their natural influence upon the temporal conduct of the people, it afforded no satisfaction to him to hear Dr. Doyle describe the scale upon which such such indulgences were estimated, their extension to seven years, beyond which they could not prevail; or their shorter quarantine of forty days; enough for him was it to know what must be their effect on the popular notion of the remission of the temporal punishment of sin. And these were the difficulties which met his view whenever he looked at the question. But he was asked whether he thought the law could remain upon its present footing? that was a question which he was not at the moment prepared to determine; at the same time that he begged always to be understood as ready to remedy every just ground of complaint which the catholics might have against the administration of justice, and to remove every irritable cause of party excitement. It was this feeling which led him last year to express his difference of opinion from his hon. friend (Mr. Brownlow), who had then gloried in being an orangeman, and with whom he was also under the necessity of differing as strongly now. He was most anxious to allay these differences, and to reform and relax the penal code so far as was consistent with the stability of the protestant establishment. He would make all reasonable concession to the catholic, while he would maintain the protestant character of the throne, of the parliament, of the church, and of the judicial bench;—short of all these was he ready to concede, but more he could not re-

lax. He strongly condemned that line of argument which went to impress the minds of the people with a persuasion, that the present policy of the law could not be supported, and which was calculated in its result to induce them to swell into demands, requests which were originally couched in terms of deference and respect. He could not approve of exciting the hopes of the people, as they had been excited respecting this question, by appeals to abstract principles of civil right, and by attacks on the government: for it was always painful to have to retard the accomplishment of what many might think to be a general wish: but his duty imposed upon him a paramount sense of obligation, and he could not forego his principles. "They were told that they were not to treat with; but to legislate for the Roman-catholics, although the experience of their history for the last ten years showed them, that they had not legislated, but had actually treated with that body; and regularly conceded step by step to the catholic, without one accompanying concession to the protestant. The first security offered by the catholics to the government in the year 1808, (and which was admitted in every other protestant state), was what was called the *vetô*; but that proffered security was afterwards withdrawn. Then they had the offer of providing for the catholic clergy, and identifying them with the state; but here, again, they had no reason to hope for general acquiescence. In fact, every measure tendered in the form of security was subsequently revoked and done away with; so that the concessions

cessions proposed by the catholics might be said

"To have grown smaller by degrees,

"And beautifully less,"

until they had sunk below zero in the scale, and become almost too minute for calculation. They were told, indeed, that the question of securities could be properly considered only in the committee. On this point he would at once say, that if the great measure were once conceded, he would infinitely rather place all its details upon a principle of generous confidence, than fetter them with a jealous and ineffectual system of restriction. Of what use, for example, would be the *surveillance* provided by a permanent commission (as expressed in the bill), exclusively composed of catholics, to regulate their intercourse with the church of Rome, and to judge—of what?—of so vague an inquiry as the loyalty of a bishop. He confessed that all these reservations and qualifications gave him no encouragement; and that he preferred, if he must concede, to make the concession without them. He would rather have a simple removal of the disabilities, and to have the catholics placed at once upon the same footing as the protestant dissenters, than to have the measure accompanied by securities which possibly were unpleasant or offensive to the catholics, without imparting any real security to the protestants. When Dr. Doyle was asked, whether he thought the provision for the catholic clergy ought to be inalienable, his reply was, that he thought it ought while the clergy maintained a loyal and peaceable line of conduct; and of this demeanour the exclusive board of catholics was to be

the judge. The right hon. gent. then argued the two measures which were offered as accompaniments to the present bill, and intended to reconcile some of its opponents to the principle of concession. With respect to that for raising the qualification of freeholds, he hoped the house would not accede to it without very grave consideration. When he said this, he begged not to be considered as intending (to use a phrase of Mr. Pitt's) to practise any sinister dexterity for the purpose of eventually defeating this bill. He was ready to admit that in practice the existing mode of creating these small freeholds was often full of evil—that it led to perjury, and to the creation of fictitious votes; but he should nevertheless, be most unwilling to interfere for the purpose of disfranchising those who belonged to the lowest classes of society. He doubted much the beneficial consequence of altering this system; it was by one party asserted, that if the qualification were raised to 20*l.*, in 20 years the elective franchise in Ireland would be more in the hands of the protestant than the catholic; but Mr. O'Connell, whose opinions on this subject were entitled to great weight, confessed that he thought the result would be favourable to catholic influence. The same objection which he had to the alteration of the franchise he likewise had to the other measure for the payment of the clergy. He objected to it not so much as a financial question, as opening a precedent for the payment by the state of other classes of religious dissenters: and with respect to the oath, he really saw no additional security provided by it: these proffered

proffered securities were each and every of them to him perfectly nugatory, and did not in any shape reconcile him to the principle of the bill. He therefore preferred to abide by the securities which the law had already provided for securing the protestant predominance of this protestant government. When he compared the conduct at present pursued by this government on matters of religious toleration, with that pursued by the legislature of a neighbouring country, where a law was in agitation for inflicting the penalty of death upon those who offered insult to certain mysteries of the catholic church—when he made this comparison, the firmer he became convinced that the protestant principle of predominance in government afforded a greater security than was likely to be provided by any other, for the preservation of civil and religious liberty; and to it he was firmly determined to adhere.

The house divided: for the original motion, 268; for the amendment, 241; majority for the second reading, 27; adjourned at three o'clock.

House of Commons, April 22.—On the motion of the *Chancellor of the Exchequer*, the house went into a committee on the spirit duties' acts.

The Chancellor of the Exchequer said, he had upon a former occasion explained to the house the grounds upon which he thought it expedient to place all the laws relating to distilleries in England on one identical and intelligible footing, and to do away with the inconveniences which were daily found to result from the circumstance of different laws prevailing in dif-

ferent parts of the kingdom. It would not, therefore, now be necessary for him to advance any general reasoning on the subject, and he flattered himself that the house would readily concur with him in thinking that something was necessary to be done to effect this object. It appeared to him that no alteration would be so effectual as that which should assimilate the distillery laws of England with those of Scotland and Ireland. He would state generally the sort of regulations which he proposed to adopt for this branch of the trade and manufacture of the country. In the first place, it was necessary to impose certain restrictions on the persons carrying on this trade: he should be glad if this had not been necessary, but the large amount of the duties rendered it impossible to waive them. In Ireland and in Scotland, no persons were allowed to carry on the trade of a distiller without the certificate of a justice of the peace. This regulation, which the peculiar circumstances of Scotland and Ireland rendered necessary, he did not propose to adopt in England. The qualification which he should suggest instead was, that persons carrying on the trade of distillers, should inhabit and pay the rates of houses of the rent of 20*l.* per annum. This would facilitate the collection of the duty, while, if persons who could distil in a tin kettle were permitted to do so, the excise would be cheated at every turn. The next regulation was, that all persons licensed to carry on the trade of distillers, should be resident within a quarter of a mile of a town in which there should be 500 inhabited houses, in order to secure

secure a sufficient number of excise officers for the preservation of this branch of the revenue. With respect to the size of the stills, it had been found necessary in Ireland and in Scotland, where smuggling was extensively carried on, to use stills of small dimensions, because larger ones were ineffectual to prevent it. In England there was not the same necessity, and it was therefore his intention to reduce the size of stills from 3,000 gallons, the present rate, to 400, the dimensions of which they had been formerly. He would now state to the committee the alterations which he intended to propose respecting the duties. The existing duty was 10s. 6d. per gallon, at 7 per cent. over proof. It would, he thought, be a great improvement on the present system to adopt the rule which was observed in Ireland and Scotland—namely, to fix the duty according to the proof strength of the spirit, and that duty he proposed should be 5s. 10d. per gallon. He would shortly explain why he had fixed on that particular sum, which might otherwise appear somewhat singular. The first idea was to fix a duty of 5s. upon spirit distilled from malt, and 6s. on that distilled from grain; but, on looking into the details of the subject, he found that it would be difficult to make a distinction between the two kinds of spirit. He was therefore determined to make the duty uniform, without reference to its being distilled from malt or grain. It would be in the recollection of the house, that a bill had passed last session for regulating weights and measures, which was to take effect next year. According to that bill, the standard by which

measures were to be hereafter regulated, was the imperial gallon, which differed from the ordinary wine measure on which the duty on spirits was at present taken. The imperial gallon might be represented by six, whilst the common wine gallon might be represented by five. If he had fixed the duty on the common wine gallon at 6s. the relation which it would have borne to the imperial gallon would have been inconvenient, as it would have left an indescribable fraction of a farthing unaccounted for. The duty of 5s. 10d. on the common wine measure; however, corresponded exactly with the duty of 7s. on the imperial gallon; and thus any intricate calculation would be avoided in the settlement of questions which might arise between the excise-officer and the dealer. The right hon. gentleman concluded by moving several resolutions to the effect which he had stated.

Sir J. Newport thanked the right hon. gentleman for the alterations which he proposed to make, which would have the effect of removing many of the restrictions by which the spirit trade between England and Ireland was at present shackled.

Mr. W. Smith disapproved of the proposed reduction of the duty on spirits, on the ground that it would tend to deteriorate the health and morals of the people of this country.

Mr. Hume was of opinion that the reduction of the duties would be beneficial to the country.

Mr. C. Hutchinson and *Captain Gordon* supported the resolutions.

After a few words from *General Hart*, the resolutions were agreed to,

to, and the house having resumed, the report was ordered to be received on Monday.

The house having resolved itself into a committee of supply,

The Chancellor of the Exchequer rose to submit a resolution, that there be granted to his Majesty a sum not exceeding 7,000*l.* for the purchase of Mr. Rich's collection of coins, curiosities, and manuscripts. He observed, that the report of the committee which had been appointed to inquire into the value of this collection was so full, that it was unnecessary for him to say any thing on the subject. He felt satisfied that the feeling of the country was favourable to the purchase of such a valuable addition to the collection already in the British Museum.

After a few words from *Mr. Bankes*,

Mr. Hume gave the motion his cordial support, and was glad to perceive that this country, in supporting such a splendid collection as that at the British Museum, was approximating to the taste of other states in Europe. While on this subject, he wished to ask the chancellor of the exchequer whether he would have any objection to the appointment of a committee to inquire what monuments were erected to distinguished individuals in several places in the metropolis, at what expense, and from what funds they were kept in order. He was informed, that the sums taken for admission to see the monuments in Westminster Abbey were appropriated for the payment of individuals appointed to take care of those monuments; but he also understood that there was another fund from which those persons ought to be paid, and

which the dean and chapter put into their own pockets. He thought this was a subject which should be inquired into.

Mr. Bankes admitted that the expense which the public were put to in the erection of those monuments, gave them a fair claim to inquire how the funds received for exhibiting them were applied; but he thought the *onus* of such inquiry ought not to be thrown upon his right honourable friend the chancellor of the exchequer. The subject was, he granted, a fair one for inquiry.

Mr. Hume expressed a hope that some such motion might be submitted to the house, and that it would receive the support of ministers.

Sir C. Long was not aware of the fund to which the honourable member alluded, for the payment of persons for taking care of the monuments in Westminster Abbey; but if there were any over which the house had a control, it would be fair to inquire into its application. With respect to the resolution before the committee, he would observe, that the collection of Mr. Rich was very rare and valuable; and the parties who had the disposal of it evinced the most liberal disposition in treating with government for its purchase.

The resolution was now agreed to, and the house having resumed, the report was ordered to be received on Monday.

House of Lords, April 25.—*Marquis Camden* presented two petitions from certain places in Kent, against any alteration in the corn laws.

The Earl of Derby presented two petitions from — and Rochdale, to the same effect.

Lord Suffolk presented a petition to the same effect from a place in the county of Norfolk, in doing which the noble lord observed, that the question was one in which he had so strong a personal interest, that he could not well trust himself in forming an opinion upon it, and still less in making it a subject of his vote.

The Earl of Lauderdale took the present opportunity of asking the noble earl opposite whether it was the intention of his Majesty's government to propose any alteration in the corn laws during this session? It was not his wish to enter into any premature discussion on the subject, but he thought it would be desirable that their lordships should be informed of the views of his Majesty's ministers on this important question. If any doubt were left on the subject, their lordships would have the table covered with petitions.

The Earl of Liverpool could have no objection to giving the noble lord the satisfaction he desired, by distinctly answering his question in the negative; but at the same time he felt it to be inconsistent with his sense of duty to do so, without troubling their lordships with a few words of explanation. Their lordships must recollect, that the last time this subject was under the consideration of parliament was in 1822. The system adopted in 1815 was, however, continued, though it was generally agreed that that system ought not to be adhered to, but that some alterations should be made. The committee appointed in 1822, in their report recommended farther alterations, which,

however, had not been made. This was the state in which the question now stood. In reply to the noble lord, he certainly could not object to state in public what he often had declared in private, namely, that some alteration in the present system of the corn laws was, in his opinion, necessary; and yet he was not prepared to go into the question during the present session, but hoped that it would be found convenient for their lordships to take it up in the course of the next session, and to enter into the consideration of it in all its bearings. He was perfectly sensible that if any uncertainty as to what might be done this session were to be allowed to continue, their lordships would have their table covered with petitions on the subject, and petitions conceived in a very different sense. Some, from a large and respectable body of the population, would be in favour of the present law; others, from another extensive and respectable part, would pray for an alteration. Their lordships must not conceal from themselves this truth, that though the classes connected with land viewed the corn laws in a different light from those connected with trade, the true interests of all classes were on this question really the same. One class, however, looking to immediate interest, naturally wished to remove all restrictions on importation, while the other as naturally desired to raise the price of the commodity it produced. He had endeavoured to do his duty between these conflicting interests. There was, in his opinion, a difficulty in this question which he did not think had ever yet been fairly considered. No man could
be

be more desirous than he was to see the trade of the country placed on the most liberal footing; but when commercial principles were applied to corn, obstacles arose which were not easily overcome. In all other kinds of manufacture, if a fixed protecting duty were imposed, it would be easy to abide by it. Whatever might be the state of the home supply at a particular time, things would at length come round, and the manufacture would find its level. But it was not so with respect to corn, because at however equitable a rate the duty might be fixed, still periods and seasons might occur in which no protecting duty whatever could be adhered to. In a time of great scarcity it could not be said to a starving population that they should pay any thing in addition to the natural price of corn. He threw out these observations merely to show that there was a great difficulty belonging to this question, but he was perfectly satisfied that their lordships must proceed to its consideration with the view of making some alteration in the present system. This, he thought, would appear to be called for on several grounds. The price of corn in this country was now nearly double what it was in 1815, when the present system was fixed. The argument used in making that arrangement was, that it was necessary to raise the price, in order to secure a reasonable profit on cultivation. This appeared to be by no means necessary now, with 80*s.* for the importation price. He felt, however, that he should not be rightly discharging his duty if he ventured to give any opinion as to what ought to be

the duty or import price. Next session opportunity would be afforded their lordships for a full consideration of the subject, and in the mean time he should only state what appeared to him to be the different principles on which their lordships would have to decide. He had stated that the present system could not be maintained,—that was to say, with respect to importation price,—in consequence of the effect which it had on the value of labour. Their lordships would, therefore, have to proceed on one of three principles. 1*st.* They might alter the importation price, and in other respects retain the system. 2*d.* They might alter the existing system altogether, and adopting the recommendation of the committee of 1822, impose protecting duties with a *maximum*, beyond which importation should be perfectly free, and a *minimum*, under which no importation should be allowed. 3*d.* A general protecting duty might be fixed, getting rid of the present system of averages. Either of these latter plans would form a complete alteration in the present state of the corn laws; but the last mode could not be resorted to without placing somewhere a discretionary power to remove the duty altogether in a time of scarcity. Much difficulty would be found in establishing a *maximum* or *minimum* along with a fixed protecting duty. If, therefore, a fixed duty should be rejected, their lordships would have the option, either of adhering to the present system with an alteration of the import price, or establishing a system of protecting duties with a *maximum* and *minimum*; or else of taking a *maximum* and

and *minimum* without any protecting duty. He knew not whether he had made himself intelligible, but he thought it right to lay before the house the different systems which it was likely their lordships would have to discuss. He must now again repeat, that it was not his intention to propose any alteration in the corn laws during the present session. He did not know, however, but that one particular part of the present system might sooner be brought under their lordships' consideration—he meant the question relating to the bonded corn which had been and still was in warehouses. That question had already undergone some alteration with respect to Canada corn. With regard to the other bonded corn, those members of the landed interest whom he had consulted on the subject were favourable to the contemplated alteration. As to the general question, he certainly could not think it right to enter on its consideration at this late period of the session; but, aware that it must in due time come under consideration, he was anxious to put the house in possession of his views and feelings on the subject.

The *Marquis of Lansdown* had a petition to present from the city of London, praying for a revision of the corn laws, which he should submit to their lordships to-morrow. He concurred in much of what had fallen from the noble earl opposite; at the same time he must observe, that the result of many deliberate and serious reflections on this subject had brought him to the conclusion that it would be ultimately impossible

for parliament to continue a system of restrictive corn laws. It would therefore be the duty of parliament to look forward to the doing away of the system altogether. He agreed with the noble earl as to the difficulty of fixing a duty which would not be found very inconvenient in periods of scarcity or abundance: but at the same time, he regarded such a plan as the best calculated to prevent scarcity. While entertaining this opinion as to a fixed duty, he must confess that he was far from regarding parliament to be now in a situation to determine what that duty should be. They must first determine the average price which would afford a sufficient guarantee to the British cultivator, and next the average state of productiveness on the continent. He was sure that most erroneous notions prevailed as to the average cost and price of agricultural produce on the continent, and that there was great difficulty in determining what it was likely to be, in such a way as to enable their lordships accurately to fix a rate of duty. In coming to a determination, it would be their lordships' duty to endeavour to conciliate all the interests in the country, and to take care that the balance should not incline too much to the one side or the other. Their great object should be, to arrive at something fixed and permanent; for, bad as the present system was, he would rather retain it, with all its faults, than change it for one still liable to fluctuation. It was obvious, that if too high a price were fixed, the manufacturing interest would have just reason to complain of the dearness of provisions, which must raise the

the price of every kind of labour. If the price were fixed too low, the landed interests would be injured, and with it, as recent events had most strikingly proved, every other interest in the country would be seriously affected... Their lordships would then be assailed with a clamour, and parliament would be again compelled to raise the price. On these grounds he thought he could not too strongly impress on their lordships the necessity of considering this important subject in all its bearings; and, in their revision of the present system, of looking to the establishment of a permanent law which would be capable of conciliating the interests of all the different classes of the empire.

The *Earl of Lauderdale* thanked the noble earl for the exposure he had given of his views on the corn laws. It was not his intention then to deliver any opinion as to any particular plan which it might be proper for parliament to adopt, but he must remind their lordships, that while they were considering the subject, speculation would be at work. It was therefore necessary to delay their determination as little as possible, and to make the new system one of more certainty than the present. A fixed and permanent arrangement ought to be adopted for a time of peace. The noble earl had stated, that under the present system, corn was now in this country twice the price it sold for on the continent; but he should recollect, that when the last arrangement was made, the agriculturists were told that 80s. was to be the *minimum*. Their complaint, however, was, that the price had never reached 80s. However,

during the existence of the arrangement, bread had never been at an unreasonable price. If it were intended to come at last to a permanent arrangement, he did not conceive that the task could be accomplished without a most laborious inquiry, not only into the state of agriculture in this country, but into its relative situation in the rest of Europe. When their lordships considered that the present system, under various modifications, was the same which had endured for more than a century, they could not be too cautious in departing entirely from it. He did not say that it was perfect; but it was one under which the agriculture of this country had long flourished. On this ground, he dreaded alteration. He dreaded it, because, if any change was to be made, it ought to be to a permanent system, which was difficult; and because the situation of the landed interest was different from that of any other. Capital was embarked on land under leases of 21 years, and the value of that capital would be instantly affected by any alteration of the law. All he should farther say at present was, that he hoped the inquiry would be carefully conducted, and that the discussion would be deliberate.

The *Earl of Liverpool* wished to make one observation more in consequence of what had fallen from the noble lords opposite. He fully agreed with them in the importance of a careful investigation, and that if a change of system were made, it should be one of as permanent a nature as possible. But if they were to look to the price of grain in this country and abroad, they would find that

that nothing could be of a more varying nature. To be convinced of this, they had only to refer to the prices of the last thirty years. The different rate of taxation in this and other countries necessarily caused a great difference of price, and rendered it difficult to come to a decision on the question of duty. The variation in the weight of the taxation, too, from 70 to 30 millions, was a cause of fluctuation. Prussia, Poland, and other countries, from which foreign corn was usually imported, were all poor; but as they increased in wealth and civilization, their power of supplying us would become less. These were all circumstances hostile to that permanency which was so desirable. Their lordships would have to consider, whether they would adhere to the present system, or adopt one of protecting or fixed duties; but, in whatever way they might proceed, it appeared to him that they could never expect to obtain that certainty which would enable them to fix an unalterable price.

Lord King wished a determination to be come to on this subject as speedily as possible; for, in consequence of the agitation of the question, bargains between individuals must be at a stand till a settlement took place. He was, however, glad that the noble lord opposite was to call the attention of parliament to the subject, and he hoped that an understanding would be brought about between the landed interest and the manufacturers. Wheat in some of the continental ports was 18s.; but if the market was opened in this country, it would rapidly rise perhaps to 56s. or 60s.; but, what-

ever might be the present price, great difficulty would be experienced in founding on it a fixed rate for importation. One great inconvenience of a high rate was, that when the ports were suddenly thrown open, an immense importation took place. Some measure, he thought, ought to be adopted to restrain the excessive importation which took place in such cases.

Lord Calthorpe, after expressing his opinion in favour of the proposed investigation, presented a petition from the chamber of commerce of Birmingham, praying for a revision of the corn laws.

The *Earl of Darnley* was glad to hear that this important subject was to be inquired into. He always regarded the landed and commercial classes of the country as having one common interest. Of this he was certain, that if the landed interest was injured by any change in the corn laws, the British manufactures would lose their best customers. He approved of the plan of coming to no decision until next session.

Several petitions against the catholic claims were presented.

His royal highness the Duke of York stated, that he had been requested to present to their lordships the petition of the dean and canons of Windsor, praying that no further concessions should be made to the Roman-catholics.

He considered it unnecessary, in bringing before their lordships the petition of so learned and respectable a body, to assure them it was worded so as to ensure its reception; but before he moved that it should be read, he must be permitted to say a few words.

Sensible as his royal highness

was

was of his want of habit and ability to take a part in their lordships' debates, it was not without the greatest reluctance that he ventured to trespass upon their time and attention; but he felt that there were occasions when every man owed to his country and to his station, to declare his sentiments; and no opportunity could, in his opinion, offer, which required more imperiously the frank avowal of them than the present, when their lordships were called upon to make a total change in the fundamental principle of the constitution, and, in his royal highness's view of the question, to strike at the very root of its existence.

His royal highness observed, that twenty-eight years had elapsed since this question had been first agitated, under the most awful circumstances, while this country was engaged in a most arduous and expensive, though just and glorious war; that the agitation of it had been the cause of a most serious and alarming illness to an illustrious personage now no more; whose exalted character and virtues, and whose parental affection for his people, would render his memory ever dear to this country; that it had also produced the temporary retirement from his late Majesty's councils, of one of the most able, enlightened, and most honest statesmen of whom this country could boast.

Upon this question they were now called to decide; and from the first moment of its agitation to the present, his royal highness had not for one instant hesitated, or felt a doubt, as to the propriety of the line of conduct he had adopted in reference to it.

1825.

That he must also call their lordships' attention to the great change of language and sentiments which had taken place since the subject was first introduced, among the advocates for catholic emancipation.

That at first the most zealous of these had cautiously and yet strenuously endeavoured to impress upon the minds of the people, that catholic emancipation ought not to be granted without establishing strong and effectual barriers against any encroachment on the protestant ascendancy. But how changed was now their language! Their lordships were now required to surrender every principle of the constitution, and to deliver us up, bound hand and foot, to the mercy and generosity of the Roman-catholics, without any assurance even that they would be satisfied with such fearful concessions.

His royal highness had, upon a former occasion, taken the liberty of stating his sentiments fully upon the subject, and had endeavoured to convey to their lordships that no person was more decidedly inclined to toleration than his late Majesty, but that it must be admitted there was a great difference between toleration, participation, and emancipation. He would not now enter into this discussion, convinced as he was that if the bill should again be brought under their consideration, its merits would be much more ably discussed by others of their lordships. There were, however, one or two points which appeared to him to have been kept out of view in the different debates that had occurred in various places, and which seemed to him of such vital importance,

that he could not help touching upon them.

The first was, the situation in which the church of England would be placed should catholic emancipation pass. If his royal highness were mistaken, he would doubtless be set right, but he had always understood that the established church of England stood in a very different situation from any other religious persuasion in the world,—different even from that of the sectarians in this country. The established church was subject to its own government, and did not admit the interference of the civil authorities. It was placed under the authority of the king as the head of it, and under the control of parliament, so much so, that the church was not only not represented as a body in the lower house of parliament, but that no clergyman was admitted to a seat in it.

Surely, their lordships could not wish to place the established church of England upon a worse footing than any other church within these realms; nor allow the Roman-catholics, who not only refused to submit to our rules, but who denied any authority of the civil power over their church to legislate for the established church, which must be the case if they should be admitted to seats in either house of parliament.

The other point to which his royal highness had to advert was one he felt to be of a more delicate nature. He must, therefore, begin by stating to their lordships that he spoke only his own individual sentiments, as he must not be supposed to utter in that house the sentiments of any other person. He was sensible that by what he

was about to say, he should subject himself to the scoffs and jeers of some, and to the animadversions of others; but from speaking conscientiously his own feelings and sentiments he would by no apprehension whatever be appalled or deterred.

That he wished to ask whether their lordships had considered the situation in which they might place the king, or whether they recollected the oath which his Majesty had taken at the altar, to his people, upon his coronation. He begged to read the words of that oath:—

“I will, to the utmost of my power, maintain the laws of God, the true profession of the gospel, and the protestant reformed religion established by law; and I will preserve unto the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain to them, or any of them.”

Their lordships must remember that ours was a *protestant* king, who knew no *mental reservation*, and whose situation was different from any other person in this country; that his royal highness and every other individual in this country could be released from his oath by the authority of parliament; but the king could not. The oath, as he had always understood, was a solemn obligation entered into by the person who took it, from which no act of his own could release him; but the king was the third part of the state, without whose *voluntary* consent no act of the legislature could be valid, and he could not relieve himself from the obligation of an oath.

His

His royal highness feared that he had already trespassed too long upon their lordships, and he thanked them for the patience with which they had heard him. If he had expressed himself too warmly, especially in the latter part of what he had said, he must appeal to their liberality. He felt the subject most forcibly, and it affected him yet more deeply when he remembered that to its agitation must be ascribed that severe illness, and ten years of misery, which had clouded the existence of his illustrious and beloved father. He should therefore conclude with assuring their lordships that he had uttered his honest and conscientious sentiments, founded upon principles which he had imbibed from his earliest youth; to the justice of which he had subscribed, after serious consideration, when he attained more mature years; and that these were the principles to which he would adhere, and which he would maintain and act up to to the latest moment of his existence, whatever might be his situation of life.—So help him God!

The petition was read, and laid on the table.

The Earl of Harrowby presented a petition in favour of the catholic claims from the Roman-catholics of the midland counties.

In the house of commons on the same day Mr. Wilson presented a petition signed by 5000 persons, praying a revision of the corn laws.

House of Commons, April 26.—The house was occupied until half-past three in the morning with a very lengthened debate upon the elective franchise (Ireland) bill. The nature of the measure may be best understood by the state-

ment of Mr. Littleton who brought it forward. He said, his motive for bringing it before the house arose from a conviction which he had long entertained, that the present mode of exercising the elective franchise in Ireland was fraught with great evil, as it regarded the property of the country and the morality of the people. He thought that any measure which tended to alter the system that now prevailed in Ireland with respect to the elective franchise, that tended to check the mode by which vast numbers of available votes, coming from the most ignorant class of Irish peasantry, for the greater part Roman-catholics, were procured, would receive the approbation of the protestant community; at the moment when that community was called upon to extend important political rights to the higher orders of the catholic body. It had been said that his object was disfranchisement, and not regulation. It was unnecessary for him to stop now, in order to examine how far the measure which had been submitted to the house, and which was printed, bore the character of a measure of disfranchisement; since he had requested that the second reading of the bill should be postponed to this day with a view of extending protection, as far as possible, to all present vested interests. If the right of registered 40s. freeholders to vote were to expire when the period of the registration of their freeholds was at an end, those who now enjoyed that right could hold it only three years longer. But the house would presently see, that provision would be made to preserve in the most perfect and unqualified manner

ner all vested interests which were at present in existence. For this purpose, a clause had been framed, which provided that nothing in this act should extend to prevent any person who had registered a freehold, or who should register a freehold, before the passing of this act, from renewing that registration. He hoped that this provision would go far to remove the opposition of those gentlemen who, on constitutional grounds, had objected to this measure. After the passing of the act, there would be a cessation of the practice of multiplying those votes arising from freeholds, determinable on lives; and it would cause the creation of a different description of votes, which would be of the utmost importance to Ireland. There was nothing, whatever, in the bill, which pointed at disfranchisement. By the act of 1793, a certain description of peasants were allowed to vote, those, he meant, who held freeholds, determinable on lives, of the nominal value of 40s. It was very easy to conceive the mischiefs which were inseparable from such a system; and it was to put an end to them—to take away the capacity of creating freeholders of this description—that the present bill was introduced; but he repeated, that no existing vested interest was interfered with. If the Irish voters at all represented in property or character the freeholders of this kingdom, he would be the last man to interfere with so valuable a class of individuals; but the former were not, in any way, similar to the latter. Their creation was, in fact, a fraud on the spirit of the law and of the constitution; because, by their

great numbers, they kept down the real freeholders of the country. They effectually suppressed the expression of public opinion on the part of that body; because, whatever they might feel as to the fitness of a candidate, they could neither return nor reject him, if the great body of those 40s. freeholders was opposed to their wishes. The freeholders to whom this bill applied, were not, like the landholders of the country, the strength and honour of the nation; they were, on the contrary, its weakness and its discredit, for they ruined the very property which reared them. For these reasons, he thought the house would act most unwisely if they did not supply some remedial measure to an evil of such magnitude. Nothing, as he had observed, which was contained in this bill, was founded on the principle of disfranchisement. It trenched on no freehold right, similar to that which was known in this country; and, where the nature of that species of right was most departed from, even with regard to leasehold votes, it was a measure entirely prospective. Let the house look to what the real character of the system was. By the term "freeholder," in England, was understood one who was in the actual and absolute possession of freehold property to the amount of 40s. or upwards. There was another description of persons who also had a right to vote; he alluded to those who had an annuity, or rent charge of property, to the same amount. Such persons ought, he conceived, in justice, to be deemed freeholders. The same law which prevailed in Ireland

Ireland also existed in some few cases in England. These were confined to bishop's leases, and to the estates of a few of the oldest Roman-catholic families of this country. This was the state of the case in England. But the Irish leaseholder, who, in that country only, was considered a freeholder, possessed no landed property whatever. He dragged out a miserable existence, by labouring on the soil; and his right to vote was perhaps dependent on some ancient life. He not unfrequently held that right from a sub-lessee; he did not possess 40s. a year in actual and solid property; he might stipulate to pay a rent to that amount, and, in default of that payment, he was liable to be distrained upon, and whatever property he could call his own might be sold; he was obliged to attend at the session, to swear that he was actually worth 40s. a year; when he had committed that perjury, he was compelled to follow the herd to the hustings, and to vote for that person in whose favour his landlord interested himself, and of whom, perhaps, if he had the ability to judge for himself, and were left to take his own course, he would entirely disapprove. Gentlemen who were acquainted with county elections in England, knew that no greater accusation could be made against a candidate than that he had not personally solicited the votes of the freeholders. This was, undoubtedly, at times very inconvenient to the candidate; but the jealousy with which the freeholder viewed any infraction of the practice, proved that he understood, and rightly appreciated, the value of

the great privilege which he enjoyed, and which, therefore, he would not exercise lightly, nor in the support of a man by whom he conceived he had been slighted. But woe to him who visited and canvassed the electors of Ireland. He was sure to fight a duel, as the reward of his temerity. He understood it was the rule in the courts of law in Ireland—(a member called out, "The courts of honour," which caused much laughter)—he understood it was the rule in the courts of honour in Ireland, that whoever ventured to bring over to his interest the voters on the estate of a gentleman who wished to have his opponent returned, must justify his conduct at the pistol's mouth. It was said that his hon. friend, the member for Galway, who was perfectly conversant in these matters, considered the offence given by such an act to be of so positive a nature, that he could hardly decide whether the person so conducting himself was not bound to receive his adversary's fire, without returning it. It was stated in evidence, with respect to those electors, that whenever it answered the purpose of the catholic priest to raise a particular feeling amongst them, that he could do so, not only with success, but with impunity; and it was further stated, that whenever the landlord and the priest were brought forward in competition, the latter always drove the former out of the field. He did not wish to read much of the evidence, because he hoped that every gentleman had done himself, and the house, and the catholic body at large, the justice to read it; and if any gentleman had not done so, he hoped he should

not be deemed presumptuous when he said, that that individual was not qualified to decide on this question. He would now, with the permission of the house, read extracts from the evidence. In the first place he would advert to what had been stated by that intelligent catholic barrister, Mr. Blake. He thus described the Irish 40s. freeholder: — "In general they pay what is originally a rack rent for the land, they then build mud huts upon it, and if they make out of the land a profit of forty shillings a year, a profit produced by the sweat of their brow, they reconcile to themselves to swear that they have an interest in it to the extent of forty shillings a year; whereas the gain is produced, not through an interest in the land, but through their labour." Being asked, "Do you think, generally speaking, that the forty-shilling freeholders exercise any free choice at elections?" he answered, "My opinion is, that they have none." He would now call the attention of the house to the opinion of Mr. O'Connell. He stated, that "in many places, the forty-shilling freeholder was considered as part of the live stock of the estate." And when asked, "Are you of opinion that there is any great difficulty in making registries of freeholders without the business being very accurately performed according to law?" he answered, "The greatest facility; the clerk of the peace can appoint his deputy, any man can be his deputy for the moment, and it is the easiest thing in the world to register freeholds upon the present system, without either freehold or valid tenure to constitute a freeholder. There must be first tenure; that is to say, a grant for

life or lives to constitute a freehold; in order to registry, there must be at the utmost such a rent as would leave the freeholder a profit of forty shillings a year: now I have known numerous instances, where, if a peasant was made to swear that he had a freehold of forty shillings, he would have perjured himself in the grossest way; and in those instances a friendly magistrate or two may very easily get into the room; an adjournment of the sessions for the purpose of registry is the easiest thing in the world, because the act of parliament gives validity to the registry, notwithstanding any irregularity in the adjournment of the sessions: therefore two magistrates can come together very easily, get the deputy of the clerk of the peace to attend, and they can register upon unstamped paper if they please. They can register, with the life described such a way, that that life will be either dead or living, as they please, at the next election; John O'Driscoll or Timothy Sullivan, or any thing of that kind. Frauds with respect to the registry of freeholds are very considerable," Mr. O'Connell added — "but still it is, I take it, a very great advantage to the Irish peasant upon the whole, to have the power of voting given to him by forty shilling freehold." Who was there (demanded Mr. Littleton) that professed himself to be a friend to catholic emancipation, and did not agree in that sentiment? It could not be doubted but that the act of 1793 created a great additional interest in that house in favour of the Roman-catholics, and forwarded the claims of that body. Looking at that

fact, he did not disagree with Mr. O'Connell in the conclusion to which he had come—namely, that, under the existing state of the law, it was advantageous to the Irish peasant to possess this privilege. He now came to the evidence of Mr. Shiel, who said, when speaking of raising the qualification of freeholders, "I further think, that so far from its being an injury, it would be a benefit to the lower orders that the qualification should be raised, and that the mass of the peasantry should not be invested every five or six years with a mere resemblance of political authority, which does not naturally belong to them, and which is quite unreal." He also said, "The peasantry are driven in droves of freeholders to the hustings: they must obey the command of their landlord; it is only in cases of peculiar emergency, and where their passions are powerfully excited, that a revolt against the power of the landlord can take place." He would next advert to the evidence of Mr. Hugh Wallace on this subject. His examination ran thus:—"Do you think any kindness is induced from the landlord to his tenantry, by the fact of their having those forty shilling freeholds?—I question very much if there is." "In some cases, does it not lead to acts of hardship upon the part of the landlord towards his tenants, where the tenants refuse the landlord's solicitation for their votes?—That I have no doubt of." "Do you know in what manner some of the proprietors in Ireland are in the habit of controlling the votes of their tenants?—I know two modes by which they harass the tenants who do not vote as they

wish them to do." "Will you be good enough to state them?—One is, preventing them from having bog ground, (the right of cutting, in the bogs of, the landlord, firing for the tenant), which, in general, is not granted by the leases, but is an easment that they are permitted to enjoy by the landlords; the other is, the compelling them, upon estates where it has always been allowed that half a year's rent should be in the tenant's hands, to pay up that to the day it becomes due." "So that, if the forty-shilling freeholder votes according to his own judgment, he is immediately obliged to pay up what is called the back half-year's rent, and is deprived of firing for the next half year?—Yes." "The right of fuel is not leased out with the freehold?—It is not." "Generally speaking, those forty-shilling freeholders exercise no freedom of election whatever?—Generally speaking, I do not conceive they do; I conceive quite the reverse." Thus (observed Mr. Littleton) it appeared that in many parts of Ireland a man was obliged to forego the dictates of his conscience, or be starved for want of fire during the winter. He would now refer to the unsophisticated and practical evidence of the hon. member for Kilkenny, (Mr. Dennis Browne) which was exceedingly important. He was asked, "Did it ever occur to you, that it would be desirable to make the abolition of the forty-shilling freeholders a part of catholic emancipation?" and he answered thus—"A great part of the interest of my family depends upon forty-shilling freeholds of the catholic persuasion, so that you could not apply to any person who would

be less likely to give you fair information upon that subject;" but the right hon. member's conscience made him speak out, for he added—"but if you can prevail upon the forty-shilling freeholders in England, and upon the forty-shilling freeholders in the north of Ireland, who are a very sturdy race of men; if you can prevail upon them, you can do it with the Roman-catholics, but most undoubtedly it must be a general measure; if the object is a free and fair election—if the object is, that a man should represent the fair sense of the county, undoubtedly the forty-shilling freehold system is entirely against that." He proceeded to say—"That the present election laws are all for the encouragement of fictitious votes, because they give no power of examining at all; any man that is registered must vote; and as to going to a petition afterwards, that is quite out of the question; we can hardly stand the expense of an election, much less of a petition." Now, the measure which was at present before the house, was intended entirely to remove those fictitious votes; and he was really surprised that any gentleman should oppose such a measure. He was asked—"Are not, in point of fact, the small freeholders so much under the influence and in the power of the landlords, that they dare not act against them?—I think they are: I think they would be very daring to do so, because they owe us generally double what they have to pay us." It was quite clear, (continued Mr. Littleton) that if an individual dared to consult his own opinion in voting, he would be reminded of the half

year's rent which was in arrear, and, under the influence of fear, he would be obliged to vote contrary to his conscience. The house might here see the demoralizing effects of this system: and he really thought that the hon. member (Mr. D. Browne) was entitled to the thanks of the house for the candour which he had manifested in exposing it. If one of these freeholders, at the general election, dared to vote against his landlord, the reward of his temerity would be an ejection from his residence. What further proof was necessary of the demoralization which must be produced by such a system, than the fact, that landlords did not only pursue this course, but that they pursued it with impunity? In another part of his examination Mr. Blake was asked—"Do not you think a considerable outcry would be raised in Ireland, if it was proposed to raise the qualification of forty-shilling freeholders?" and his answer was—"If the forty-shilling freeholders were persons of independent property, exercising through their property any influence, I think it would produce a very serious outcry; but I think the present forty-shilling freeholders are not persons likely to feel it." This was indisputably the fact. The Irish forty-shilling freeholder had nothing to lose. Such a loss as that of voting, would, in fact, be a real gain. He would lose a disgusting qualification, which enabled him to live by perjury; and certainly that would be a benefit. But if the bill of the hon. baronet passed—and he did not desire that the measure he now proposed should be carried without the other—then would

would the Irish catholic enjoy the gratifying feeling that he was placed on an equality with his protestant brother. To the nobility and gentry of Ireland the act which he now endeavoured to have carried into effect, would be one of inappreciable value, for it was a measure which would bind them all to abstain from cutting up their estates and incomes by the roots, which they were now continually doing, by raising those immense armies of fictitious freeholders. They would be obliged to depend, as the nobility and gentry of England did, on the force of public opinion. They would have no other influence beyond that which was attached, and would always be attached, to the possession of extensive property. There was another feature of demoralization arising out of this system, which he could not pass over in silence. It was the growing neglect and indifference of the lower classes of Ireland to the sanctity and solemnity of oaths. This was stated in the evidence to be produced by the multiplication of oaths in that country. They were, in consequence, looked upon without awe, and were frequently violated. Mr. O'Connell, in his evidence, had given a very interesting, and, he believed, a very faithful statement on this point. He was asked—"Do you conceive that the multiplication of oaths has had the effect of lessening their sanctity in the eyes of the lower orders in Ireland?" His answer was, "Yes; the frequency of oaths has had a most demoralizing effect on the peasantry of Ireland;" and he farther said—"This is principally evident in the minor courts of justice in that

country. To have a conscience is bad. The man who has one can do his friend no good; but a witness who is free from such tie is invaluable. The peasantry employ their children, at a very early age, to act as their witnesses, and the consequence may be easily imagined." Now he would ask, what hope was there of amelioration in a country where landlords were constantly encouraging the disregard and neglect of a form which was of the most sacred character and nature? He had no hesitation in saying, that amongst the evils of the system which he had been describing, this, to which he now referred, was almost the greatest. Before he entered more particularly into the provisions of this brief bill, he would state, that there was no novelty in its principle. Formerly, in this country, freeholders of every description, without respect to the amount of their income, were allowed to vote; and he believed that, with respect to the election of coroners, that principle still prevailed. But, by the statute of Henry the Sixth, the right of voting was restricted to those who had 40s. a year, or upwards, of clear, actual property. According to the value of money at present, and in the reign of Henry VI., it might be argued that the qualification ought to be raised. But it ought to be observed that there were very few freeholders in this country who did not possess a more extensive property than that which would barely qualify them to vote; and when he considered their independence, and the intelligence they possessed, they appeared to him to be so admirably qualified for the discharge of their duties, that

that the propriety of altering the qualification had never entered into his mind. When in 1793 the elective franchise, under the same qualification, was granted to the Roman-catholics of Ireland, it was foretold by every man of sense in the Irish parliament, that the catholic clergy and laity would raise the number of voters too high, and that frauds of every description would be resorted to. This was soon verified; and the act of 1795 was passed, which made occupancy the condition of voting. It was by that act provided, that no individual should vote for a knight of the shire in Ireland, unless he was in actual occupation of the ground from which he claimed the right of voting. The evil, however, not only continued, but increased. A law was in consequence enacted, which provided that no 40s. freeholder should be allowed to vote, unless his freehold was registered for one clear year prior to the day of election, and it also provided that the registration should be renewed every seven years. Here, then, a clear distinction was made between the 40s. freeholder and the 40l. or 50l. freeholder. But this was not all. By an act of parliament passed in the month of June last, which was known as Mr. Browne's act, joint-tenants were prevented from voting. The preamble set forth that certain joint tenants were in the habit of voting for members of parliament, to the material prejudice of the improvement of the people, the right thus assumed being a colourable one only; and the bill declared that no joint tenants, as described in the preamble, should be thereafter allowed to vote. Here, then, was

a prospective disfranchisement of a large body of people, and especially of Roman-catholics. That bill was agreed to by a large body of those who considered it as a step towards procuring catholic emancipation. But now the same persons who were still anxious for catholic emancipation objected to the present bill, although it was intended as a powerful instrument for achieving that great measure. He did not know how the parties who were friendly to the bill of last year, could consistently oppose the present. On this point he should be glad to hear their explanation. The whole question, it appeared to him, resolved itself into the amount to which the qualification should extend; for the principle, he had shown, had already been recognized. What the qualification should be, it was in the breast of the house to determine. Three sums had been spoken of—5l. a-year, 10l. a-year or 20l. a-year. If the qualification were as low as 5l. a-year, it would only increase the evil. He was sure there were but few landlords who created freeholders under a rack-rent of 40s. a-year, that could not, with equal facility, get his tenant to swear that he had an interest in the land of 5l. a-year, although he only derived that sum from his labour. If the amount of the qualification should be raised to 20l., he should fear that it would have the effect of reducing the electors to too small a number for the fair expression of the public opinion. His own individual wish, therefore, was in favour of the qualification being limited to 10l., and this he believed would be sufficient to guard against perjury, which was so great

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an evil in the present system, because no person would commit so barefaced a fraud as to swear to that, unless they were really in possession of it. He would now come to the advantages which this regulation was likely to produce to the country. In the first place, it would operate as a bounty for creating that valuable class of men, a yeomanry, the absence of which in Ireland had, it was admitted universally, been the cause of many of the evils under which that country laboured. In the second place, it would tend to strengthen and confirm the protestant interest, and the protestant establishment in that country. If it were true, as was generally believed, that the population of Ireland was catholic, while the possession of property was in the hands of the protestants, surely any measure which tended to strengthen and to raise the respectability of the latter class was one which must be approved of by persons of every description of political opinion. In support of this view of the subject, he would beg permission to quote the opinions which had been given in evidence on the committee to inquire into the state of Ireland, by the honourable member for Lowth, (Mr. L. Foster) and by Mr. Blake. It would be difficult, perhaps impossible, to find any persons better qualified than those gentlemen to give opinions on this subject, or opinions which were more satisfactory in themselves. This question was put to the hon. member for Lowth—“What is your opinion of the effect of the operation of the elective franchise, in respect to 40s. freeholders, since the act of 1793?”

His answer embraced some of the moral and political evils of the system, which he (Mr. Littleton) begged to read, although it was only the conclusion which went directly to the point. He said—“I have no hesitation in saying (and I never met with any gentleman who would differ from me in private, whatever he might say in public), that however beautiful in theory it may be to admit persons possessed of 40s. freeholds to a participation in electing their representatives, in practice it tends to any thing but their own freedom, or the assertion of their own privileges; and that it has had the operation of adding very considerably to the number of the existing population in Ireland, and still more to their misery. A more mistaken view of the subject could not be, than to suppose there is any freedom of choice practically existing on the part of those persons: it is a clear addition of weight to the aristocracy, and not to the democracy, in elections. It tends to set aside any real value or importance that the substantial freeholders of 50*l.* or 20*l.* might otherwise have; it bears them down by a herd of people, each of whose votes is of as much consequence as their own, and who are brought in to vote, without any option on their part. The only doubt that ever arises is, whether they are to give their votes according to the orders of their landlord or of their priest. The only parties that ever come into contact in deciding which way a Roman-catholic 40s. freeholder shall vote, are the landlord and the priest; the tenant in neither case exercises any other choice than to determine which he will encounter

encounter—the punishment he may expect from his landlord in time, or that which he is told awaits him in eternity.” “Has not it also contributed greatly to the demoralization of the people, in respect of oaths?—Certainly; there is no end to the perjury in qualifying for the franchise.” He was then asked, “Do you think, from your knowledge of Ireland, the influence of the priest, if generally exerted, would have greater weight than the influence of the landlord?” “I have no doubt” (he replied) “that the priests could drive the landlords out of the field. I think they have done it wherever they have tried. The consequences are extremely to be deprecated, in reference to the unfortunate tenantry. Subsequent to the election, the landlord necessarily loses the good feeling which otherwise he might have had towards the individual who has deserted him; the rent is called for, and it is in vain for the voter to look to his late advisers for any assistance to meet it. There have fallen within my own knowledge, frequent instances of the tenants, having been destroyed in consequence of their having voted with their clergy.” The subject was pursued by the hon. member in his subsequent answers. “Do you not think that a protestant member of parliament, depending entirely for his election on Roman-catholic constituents, would vote very much as a Roman-catholic member of parliament elected by the same persons?—I think he would, and that he does, though not with the same sincerity.” “Do you think, that that portion of the Irish protestants, whom you have stated to be ad-

verse to the claims of the Roman-catholics, would be more disposed to entertain the consideration of those claims, if they thought any modification of the right of voting might be a part of the arrangement?—I think a great many of them would be very much influenced by that consideration, and decided by it.” “A large proportion?—I cannot speak to the very proportion; but there are many, I have no doubt.” “Does not that apply to the three provinces of Leinster, Munster, and Connaught; how would it affect Ulster?—I conceive that in Ulster, with the exception of the county of Cavan, the protestant freeholders are so predominant in numbers, that the Roman-catholic freeholders cannot produce the inconveniences contemplated. In Cavan, I think, the parties are more nearly balanced.” “What would be, in your opinion, the inconvenience of depriving the forty-shilling freeholders in those parts of the country of the right of voting?—I think the consequence would be to diminish the influence of the aristocracy in elections, and to give to the substantial yeomanry of the north a new and important influence. I dare say the forty-shilling protestant freeholders in Ulster might feel a little mortified at the passing of the law; but I beg to say, that even with respect to the protestant freeholder, I do not think it would be any real loss to him, for I do not consider that even the protestant freeholders of Ulster exercise their own judgment. They, too, are in the power of their landlords.” “What do you apprehend would be the effect of the alteration of the elective franchise in the other three provinces

provinces of Ireland?—I think one immediate effect of it would be to present to many of the members who now sit for the south of Ireland, the option of losing their elections, or of resisting the Roman-catholic claims. I think it would throw them, for their chance of success, on the fifty and twenty pound freeholders. I think some of the present members for the south of Ireland hold their seats by virtue of the forty-shilling franchise." Here he felt obliged to stop for a moment, and to observe, that if he were not advocating a bill, which was to be contingent upon, and to go along with the great measure of catholic emancipation, the policy of quoting the evidence of the hon. member might be questionable: but as it was the object of that measure to restore the catholics of Ireland to the possession of their ancient and constitutional rights, and as the bill now before the house would not take effect until the other had passed, there could be no danger of reducing unfairly the number of Roman-catholic members. The hon. member was asked, "Supposing the catholics to be emancipated, and the elective franchise to be raised to 20*l.*, would there not be fewer persons in parliament for Ireland, depending on catholic constituents, than there are now?" His answer was, "probably not half a dozen representatives for Ireland, depending on Roman-catholics; but it may be material to observe that every thing I have said supposes the legislature shall not create any franchise intermediate between 40*s.* and 20*l.* If the franchise was raised to 5*l.*, I am persuaded very many of those unfortunate

persons who have sworn to a franchise of 40*s.* would swear to one of 5*l.* I do not think they would outrage appearances so far as to swear to one of 20*l.*" Upon this answer, then, he (Mr. Littleton) thought he was fully justified in fixing the qualification at 10*l.* The principle of the alteration was so fully recognized and so ably advocated by the hon. member for Lowth, that he thought he had a right to look for his support on the present occasion; and if he should entertain any different opinion from him with respect to the amount of the qualification, it would be competent for the hon. gentleman to propose in the committee whatever sum he thought fit to be inserted in the clause. He would now refer to the evidence of Mr. Blake on the same subject, which was as follows:—"Would the raising of the elective qualification materially diminish that influence of the priests over the voters at elections?—I think it would; and I think, in every view of it, it is a measure essential to the peace of Ireland." "Have the goodness to explain the manner in which that measure would operate?—I think it would operate beneficially in various views of it, as connected with political power, as connected with the subdividing of land, and as connected with the want of a respectable yeomanry in Ireland. It would operate usefully, in point of political power, because it would give extended effect in Ireland to what I conceive to be a vital principle of the British constitution—that property and not numbers should constitute the basis of political ascendancy in the state. It would operate to prevent multiplied

plied subdivisions of land, by taking away from landlords the temptation to such divisions, which the hope of extending political influence creates: it would tend to encourage the growth of a respectable yeomanry in the country, in the same proportion, and upon the same principle: because landlords who wished to have political influence, and who could only have it through a respectable class of freeholders, would be induced to promote the existence of such a class." Upon the good sense of this answer, he (Mr. Littleton) would be willing to rest, but he was desirous of reading to the house one other question and answer respecting the catholic clergy:—"Do you apprehend, that a state provision for the catholic clergy would be received gratefully by them and by the people?—I think a state provision for the Roman-catholic clergy, if the Roman-catholic body were taken into the bosom of the state, and received as good and faithful subjects, would be considered a great boon, and would give great satisfaction both to the clergy and laity." After the evidence which he had quoted, as well as from the deep and anxious consideration he had given to this subject, he could not doubt that the main and immediate tendency of this measure would be to take from the catholic population an influence in elections which was neither useful to their interests nor safely exercised, and to extend that which was more properly vested in the higher orders, strengthening at the same time the protestant establishment in that country. He had been pressed by more than one hon. member in that house to

abandon the measure which was now under discussion, and to content himself rather with the appointment of a committee. He had, however, declined to do this for several reasons. In the first place, he begged to remind the house that it was upon the evidence contained in the report of parliamentary committees that this measure was founded. Whatever difference of opinion might prevail as to the nature of the remedy to be proposed, there was none as to the existence of the evil, which was admitted in its fullest extent. To attempt to reach this evil through the slow means of another committee was in vain; and such was the spirit of evasion in Ireland, that he was convinced any measure short of that legislative enactment which he hoped would now be adopted by the house, would only add tenfold to the perjury and the other evils with which the present system abounded. He was not without hope, that after the statement which he had made, the hon. member for Corfe-castle (Mr. Bankes) would see reason to change and mitigate some of the epithets he had bestowed upon this bill on a former occasion. He hoped, too, that many of those who had for years voted with the hon. member would be now found to desert his ranks; that the defection would not be confined to the young recruits, who had already set the example, but would spread to those veterans who for the last 13 years had shared with him the defeat and overthrow which had, during all that period, attended the opposition to the claims of the catholics. There was no man who did not feel that this ques-

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tion had now arrived at a point where it was impossible for it to remain stationary any longer. If the public opinion were really to direct the proceedings of that house, who could deny that it was now loudly expressed in favour of the question? Who could observe the heirs apparent to some of the peerages of the realm differing from their fathers, and renouncing the old prejudices which had hitherto seemed inseparably connected with their family names, and yet doubt that the time had arrived when this question must be carried. The catholic clergy, and the laity, were now willing to make sacrifices much greater than they had ever before offered or contemplated. Of this disposition they could give no greater proofs than by their concurrence in the measure before the house. There was no concession which they would not make in return for the boon which this bill was to confer on them; and when it should be carried into effect, they were willing to pass an act of oblivion on all that had taken place, and to hold out the hand of reconciliation. He felt that he should be wanting in candour, if he did not state, that amongst his constituents there were many persons for whose opinion on every other matter he

had the highest respect, with whom on this it was his fate to differ; but he must state that in that part of the country to which he alluded, the question was rather regarded as one of religious antipathy than of political regulation. He was, however, satisfied that the same causes which had produced so great a change in the opinions of parliament, would have a similar effect out of doors, and he had no doubt that in a very short time all persons would be united in their conviction of the expediency of this measure. For his own part he should act upon this opinion with unabated zeal: and he now concluded by saying he was perfectly convinced that until parliament should consent to do what was just towards the catholic people of Ireland, they could never hope to establish that peace and union which were necessary to the well-being of the nation.

The honourable member then moved the second reading of the bill, which, after considerable discussion, in which Mr. L. Foster, Mr. Plunkett, Mr. Brougham, Mr. Lambton, Mr. Martin, Mr. Brownlow, Mr. C. Hutchinson, and several other members, was carried by 233 against 185.

CHAPTER IV.

Beer Duties.—Scotch Imprisonments.—Abuse of Prisons in England.—Roman Catholic Relief Bill.—The West India Company's Bill.—South America.—Judges' Salaries.—Quarantine Laws.—Juries Bill.—Naturalisation Oaths.—Scotch Attainders.—Oppression in Ireland.—London University.—Grants to the Duchess of Kent and the Duke of Cumberland.—Delays in Chancery.—Cotton Mills Regulation.

HOUSE of Commons, May 5.—*Mr. Maberly* rose, pursuant to notice, to submit to the house a proposition for the repeal of the duties on beer. He observed with satisfaction the many applications which had been made to the house, praying that those duties should be removed; but if there were not a single petition before the house on this subject, still he thought parliament was bound to alter the system which now prevailed, and to grant relief to the great body of the people. It was the duty of the legislature to act with impartiality; and he would say, that if ever there was a statute passed that was partial in its operation—that was contrary to justice,—it was that which imposed the existing duties on beer. He had heard the chancellor of the exchequer and the right hon. president of the board of trade declare, that they wished to adopt a system of liberal policy in every respect; and from what he had seen, he believed their anxiety to do so was sincere and disinterested. After the liberal opinions he had heard them express on different occasions in that house, he had a right, he thought, to feel sure that he should have their votes

this night. There was but one difficulty which stood in the way of his motion—there was but one argument which the gentlemen to whom he had alluded could advance against it—namely, the loss which the revenue would sustain. The principle they must give up to him, unless they turned round on the arguments used by themselves this session. If they wished to do justice, this tax, if it must be continued, should be made to bear equally on all classes. It was unfair that it should fall heavily on those who were least able to afford it, while it did not touch the opulent part of society. It was improbable that the house, in general, would understand the situation in which the country stood with reference to those duties, unless he entered into some little detail on this subject. At present, there was a tax on malt of 20s. per quarter: but the house could recollect that the effects of that tax were very different on those who brewed their own beer, when compared with the effect of the beer duties on those who purchased that beverage from the brewer. The rich man could brew his own beer; but the poor man, who had neither premises, capital, skill, or time, could not.

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He therefore was deprived of the benefit which the opulent man enjoyed. The beer duty was, in fact, a tax on the poor individual, from which the wealthy individual was exempted. He demanded of the house, whether they would continue to support so unfair and so unjust a principle. The duty on beer was very considerable. It produced annually, 2,281,000*l.*, which was charged with 295,000*l.* for collection. This was chiefly contributed by the poor; and he knew not how any man could reconcile it to his conscience, to vote against a motion which was intended to lighten such a serious burden. The rich man paid 20*s.* per quarter for his malt. That was the only tax levied on him. But the poor man had to meet a double duty—20*s.* malt duty, and 35*s.* beer duty; making a total of 55*s.* If the calculation were made by the bushel, the rich man paid 10½*d.*, while the poor man paid 2*s.* He would ask, was this a just measure of legislation? Was it fair or proper? Nothing tended more to bring legislation into disrepute, than a proceeding so unjust and partial; and therefore some measure ought to be taken to place this tax on a proper footing. The duty ought either to be removed altogether; or it should be put on in such a manner that every class should pay alike. As the law now stood, the rich man paid 5*s.* for that which cost the poor man 15*s.*; the latter paid 4*d.* a gallon more for beer than the former. With respect to the plan for introducing a new beer, which the chancellor of the exchequer had endeavoured by a legislative enactment to bring into use, he believed it had not

produced the contemplated effect, as in the course of the year, but fifteen thousand barrels of beer were brewed under that act. These, duties, although in the opinion of some gentlemen they might be so unimportant as to need no alteration, were founded upon a principle which could not stand the test of examination. They enforced from the poor man a tax between 200*l.* and 300*l.* per cent. more than was paid by the rich. To the latter, the article of beer was a luxury; to the former, it was one of the indispensable necessities of life. The poor man required something more than the bread and cheese by which he supported his existence. He required some liquor, and none was better for the purposes of nourishment and refreshment than beer. The effect of spirits upon the lower classes of the community was known to be most injurious and demoralizing. Upon this statement of the facts which this subject disclosed, he asked, then, whether the house could resolve any longer to continue a tax so partial in its operation, and which weighed so heavily upon the poorer classes? It had been said by some of those who were opposed to the view which he (Mr. Maberly) took of this subject, that the poor man might brew his own beer, and thus exempt himself from the payment of this tax; but he could do no such thing. To brew required time, which he could not give; it required money, which he did not possess; and space which he could not command. He was probably the the inhabitant of a garret, and his daily earnings only enabled him to provide for his daily

daily necessities. Where, then, and how was he to brew beer? He had in reality no option at all, and no means of avoiding the payment of this unjust and burdensome duty. There was, however, a means by which the weight might be removed; and this was, by placing the duty on malt instead of on beer. The expense of collecting the duty on malt was now 300,000*l.* per annum. If the alteration he recommended should be adopted, this sum would be saved to the country; because, although the duty on one was 20*s.*, and on the other 40*s.*, the expense of collecting would be the same. Upon the subject to which he now called the attention of the house, he had twice before approached it. He had then, as he trusted he had done now, treated the subject fairly. On the first occasion, in 1823, he had asked only for a committee to inquire into the matter, and he had given the right hon. gentleman (the chancellor of the exchequer) an opportunity, if he had chosen to avail himself of it, of doing what must have given satisfaction. The house then said that the duty was so just, so fair, so proper, that there ought to be no inquiry at all; and this, too, at the very moment when the right hon. gentleman was dabbling (if he might use that expression) with a measure he had since carried respecting beer, and which, although it had done some good, had fallen far short of the remedy which the subject required. At the same moment, too, that the house rejected the inquiry for which he moved, there was lying on the table a petition from Scotland, in which doubts were expressed of

the possibility of levying the duty. His wish for a committee arose from the experience he had had of the usefulness of such inquiries; for, perhaps, the most valuable and correct information which had ever been obtained on any subject had been through the committees of that house. In the following year (1824) he had proposed a committee to inquire into the expediency of substituting the tax on beer for a tax on malt of the same amount; and this, too, had been refused. If, therefore, in again approaching the house on the subject, he should vary the terms of his proposition, he hoped he should stand excused. The motion he should now submit was much stronger and more extensive than those he had before suggested; but the evil was one which required a strong remedy. His motion would be, that from the 5th of January next all the duties on beer should cease. The inquiries he had asked for had been refused, and there was nothing left him but this course. If the principle of the tax against which he contended was right, why was it not followed up in other instances? Why were not tea, candles, soap, leather, glass, wine, and tobacco, all taxed in the same manner? Would the right hon. gentleman dare to put in a schedule to any bill that he should have to propose, such items as that the poor man should pay 6*d.* a gallon duty on his beer, while the rich man paid only 2*d.*? And yet this was the actual operation of the present law. It had been urged by way of excuse for this tax, that it prevented the mixing of noxious ingredients in beer; but if this were really the reason,

reason, why was it not applied to wine and tea? or why were not the consumers left to the exercise of their own judgment and taste in that as in other things? The system as it existed encouraged a monopoly, if not to the brewer, at least to the retailer, by means of the licences. All the reasonable good that could be expected to result to the police of the country, would be from having public-houses placed under a proper *surveillance*, and this might be effected by allowing officers to visit the houses in which beer was retailed, to prevent their being made the resort of improper persons. If this were admitted, the house could not refuse to come to the decision that the sale of beer ought to be as free as that of any other commodity. But it would be said, perhaps, that to take off this tax might interfere with what the right hon. gent. called a sinking-fund, but what he (Mr. Ma-berly) denied to be any such thing; because that only could be called a sinking fund which was an actual surplus in the revenue. He contended that the debt was now twelve millions more than it had been in 1815, and that this was occasioned by the deadweight act. If he had not already pointed out the injustice of the tax on beer, he would refer to the reduction which had been made in the duty on spirits, and which, as they were less necessary, ought to have been postponed in the course of relief to beer. He knew the right hon. gentleman would say that his object in this had been to put a stop to smuggling, but in this he had not succeeded, because the motive still remained strong enough to induce the practice. Looking at

the subject, then, in this point of view alone, the people had a right to ask for a reduction. It would, not, perhaps, be readily believed, but the fact was so, that the right hon. gentleman and his colleagues, in their chambers in the treasury, fixed the price of table beer. Nothing could, in his opinion, be more absurd than this. They might with as good reason fix the price of bread, as interfere with another article not less necessary, nor of less common consumption. After the experience he had already encountered, he was prepared to believe it possible that he might lose the present motion; but he should nevertheless feel it his duty to take the sense of the house on the resolution. He concluded by saying, that he hoped, if he were defeated, his labours might at least have the effect of convincing the house of the injustice of continuing this burdensome tax on the people, and that some other more fortunate person would propose a measure which, if it did not do away with it altogether, would divide its weight equally between the rich and the poor. The hon. member then moved, "that from and after the 5th day of January, 1826, all the duties on beer should cease."

Mr. Brougham rose to second the motion:

The Chancellor of the Exchequer said, he was compelled to oppose the former motions of the hon. gentleman, because there was nothing in the subject which required an examination by a committee. Now the hon. gentleman proposed to place the beer duty on malt, and on this he would make a few observations. As to the total repeal of the duty with-

out any substitute whatever, he did not feel called upon to argue that question, because the right hon. gentleman himself did not seem to think it was practicable to take off three millions. A few weeks ago the hon. gentleman proposed the reduction of the window-tax, amounting to 1,250,000*l.* The same arguments which had been used against that measure applied to the present motion, and he did not think the house would choose to listen to a repetition of them. He was aware that in so immense a system of revenue as ours, there might be very sound objections brought against many branches of it, and this might, perhaps, be stated of all; but beyond this general fact the argument could not be urged. The petitioners probably believed that the substitution of the beer duty on malt would materially reduce the price of beer; but he should be able, he thought, to satisfy the house that this was not the case. The beer duty produced at present 3,000,000*l.* per annum. To raise this tax by the substitution proposed, it would be necessary to lay an additional tax of two shillings on the thirty million bushels of malt which must be consumed; this would raise the price of beer 10*s.* per barrel of 36 gallons, or about 1*d.* per quart. If, therefore, he admitted that the objections of the hon. gent. were valid against the inequality of the present duty, still the burden would rest as it did now, upon the consumer, who, although he would have the satisfaction of knowing that his neighbour paid more, would himself pay nothing less. The right hon. gent. could not admit that this tax was paid by

the poor classes of the community exclusively, or chiefly. In this town a great portion of the consumers of beer were not of this description, and in the country a great number of families were in the practice of brewing their own beer. Upon them this substitution would fall very heavily. The hon. gent. had assumed too, in his calculation, that the beer consumed by the rich and the poor was of the same strength—that it took in all cases only one quarter of malt to make three barrels and a half of beer. On the contrary, the beer of the rich man, whether he drank it himself or not, was much stronger than that brewed for ordinary consumption. In this point of view, therefore, the calculation of the hon. gentleman as to the inequality was erroneous. The honourable and learned gentleman (Mr. Brougham) had said it would be highly desirable to give greater facility to the retail trade. He (the chancellor of the exchequer) agreed with him. It was that opinion that induced him to bring in a bill to accomplish that purpose, and which he had got the house to agree to, but with no small difficulty. "The hon. and learned gentleman," said the chancellor of the exchequer, "may learn *fortunam ex aliis*; but not *ex me*. To me the other part of the line, *verumque laborem*, only applies." The right honourable gentleman had endeavoured at the same time to effect another measure relative to the estimating and collecting the duty, and although all were agreed upon the principle, so many obstacles were thrown in his way, that he was obliged to abandon every thing else, and to fall back upon the other measure, which

which was the real object of the apprehensions of those who caused the obstacles. Although he could not pledge himself to any measure on the subject, he should be very glad if the state of the finances would allow him to take off the duty altogether; but he could not conceive that the proposed substitution would be in any respect desirable. The hon. and learned gentleman had said, that he wished the reduction of the duty on spirits had been postponed to that on beer. If by a wish he (the chancellor of the exchequer) could have managed the matter, it would have been done; but he was obliged, in dealing with the spirits, to provide against any diminution of the revenue, and to do it, in fact, when he could. The object in reducing the duty on wine had been not so much to relieve any particular class of the people as on a principle of commercial policy to bring back the consumption to that point from which, in consequence of the intercourse with the continent, and from other causes, it had fallen off. All he could say on the subject before the house was, that it would give him great satisfaction if he were able to reduce the duty on beer. If his expectations should be realized, he would take the first opportunity of dealing with the subject, but he must not hold out expectations of the fulfilment of which he was not certain. With respect to the hon. gentleman's opinion respecting the collection, he had explained on a former occasion, that this was founded on a misapprehension: it was impossible to ascertain the expense of the collection, because the same individual was frequently employed in collecting various

branches of the revenue. He could assure the hon. gentleman that if he were more deeply initiated into the mode of collecting the malt duty, he would know there was none in which more frequent attempts at evasion (many of them successful) were made. Frequent prosecutions were the consequence; and if a double duty were imposed, a double temptation would be the consequence. For these reasons he could not consent to the reduction of 3,000,000*l.* of taxes, nor at present to any other modification of the duty.

The house divided, for the motion, 23, against it, 88—majority, 65.

Mr. J. P. Grant rose, pursuant to the notice he had given, to move for leave to bring in a bill to alter and amend the existing law respecting wrongous imprisonment, and delays of trial in Scotland. The hon. and learned gentleman said, it must be evident that it would be better that all the laws on this subject should be comprehended in one act, rather than spread, as they now were, in a variety of acts over the whole statute-book. It was allowed by every body, that the Scottish law was extremely defective on these points. Nothing could be more absurd, than that the inhabitants of one end of the country should live under one system of laws, so vitally affecting their interests, while the inhabitants of the other end should live under a different system. He could assure the learned lord opposite (the lord advocate), that it was not his intention to interfere with the office of lord advocate. His objects were principally these,—first, to throw

throw greater responsibility on the magistrates in granting warrants for the apprehension of criminals; next, to give a more enlarged power to the judges of the criminal courts, for the better protection of the liberty of the subject; also to remove doubts and difficulties where they existed; and lastly, to place the poor man on the same footing as the rich, with respect to trials. The hon. and learned gent. then proceeded to explain to the house the insufficiency of the present law, and the absolute necessity of its amendment. He added, that if the house should allow the bill to be brought in, he would propose that a distant day should be appointed for its second reading, in order that it should in the mean time be printed and sent down to Scotland, for the purpose of being submitted to the law authorities of that country for their opinion. He concluded by moving for leave to bring in the bill.

The Lord Advocate said he did not mean to oppose the bringing in the bill, but at the same time he thought that great caution should be observed in interfering with a law which had existed for upwards of one hundred years, and which might be considered the *habeas corpus* act of Scotland. The learned lord then proceeded to call the attention of the house to the advantages of the present law, and contended that the act of 1701 afforded a greater protection to the people of Scotland against wrongous imprisonment, than was afforded to the people of England by the *habeas corpus* act. He hoped, however, that his hon. and learned friend would bring in his bill rather for the amendment than

the repeal of the present law, as the word "repeal" might excite some alarm among the people of Scotland. The changes which the bill of his hon. and learned friend would introduce into the law of Scotland, would cause all the criminals of that country to be tried in Edinburgh, and would so create an annual expense of 15,000*l.* or 20,000*l.*, without conferring any benefit on the public.

Mr. Abercromby thought that extreme caution should be used in meddling with an act so dear to the people of Scotland as the act of 1701. He therefore concurred with the learned lord in suggesting to his hon. and learned friend the propriety of denominating his bill a bill to amend rather than a bill to repeal that act. He was aware that there were some defects in that act which required amendment; and he thought that his honourable and learned friend, in bringing them under the attention of parliament, was doing that which would not only confer honour upon himself, but also great benefit upon the community.

Leave was given to bring in the bill.

Mr. Plunkett obtained leave to bring in a bill for the amendment of the laws with respect to special juries and trials in Ireland. He stated his object to be, to assimilate the law in Ireland, for striking special juries, to that in England; and also, in certain cases, to enable parties, as was the case in England by an act of 1798, to remove the *venue* from towns corporate to the adjoining county.

Mr. Denman hoped that the right honourable gentleman would introduce a clause in his bill, to enable defendants to pray a *trial* in

in special jury cases, without being obliged to request a warrant from the attorney-general. He hoped the right honourable secretary (Mr. Peel) would introduce a similar provision in his general jury bill.

Leave was then given to bring in the bill.

Mr. John Smith, in rising to move for an address to his Majesty, for a copy of all correspondence between the lord-lieutenant of the West Riding of the county of York and the secretary of state, respecting certain abuses and mismanagement in the gaol of Bradford, said, that his reason for calling the attention of the house was this:—an individual had been arrested for a small sum of money, by virtue of a process, and he soon after broke loose from the bailiff, and was speedily retaken, and lodged in this gaol, where, owing to the gaoler being an imbecile man, this prisoner was loaded with irons and handcuffs, and so kept for seven weeks, except at intervals of five minutes once a week, to enable him to change his linen. The prisoners at large complained of their treatment in this gaol; and such was the petty tyranny which had been exercised, that on application to the lord-lieutenant of the West Riding of York, and on reference to the secretary of state, a prosecution was ordered, and one miscreant was convicted of cruelty to a prisoner in this gaol. He was glad to hear that no opposition was intended to his motion, and that every desire had been expressed to correct such abuses and punish the delinquents. He believed that in the treatment of paupers in some of the gaols, the utmost barbarity was inflicted.

Mr. Peel said, that the hon. gentleman had only done him justice, when he anticipated that he would not oppose such a motion as this. If such abuses as were represented had been committed, he should not so far disgrace himself as to attempt to vindicate the delinquents, or to oppose the production of any correspondence which was calculated to throw a light on the subject. He then stated, that upon receiving a communication from the lord-lieutenant of this district, who had done himself great credit by his conduct in this particular business, he (Mr. Peel) had referred the subject to the consideration of the attorney and solicitor-general, and eventually ordered a prosecution, in which one of the parties had been convicted. He was most anxious to see the small local jurisdictions throughout the country avail themselves of the power which they now had of sending their prisoners to the general county gaol, upon paying a small quota of expense; he wished this transfer to be more generally exercised; indeed, he was disposed to go farther, and to say, that he did not think the general administration of the justice of the country would be injured if these petty courts of jurisdiction were abrogated in certain cases.

The motion was agreed to.

House of Commons, May 6.—*Mr. Brougham* moved the order of the day for the house resolving itself into a committee of the whole house on the Roman-catholic relief bill.

On the question, "that the speaker do now leave the chair," being put,

General Gascoyne rose and said, that

that he took that early opportunity to enter his protest, as far as he possibly could, against the proposed measure. There were a few points connected with it, which, much as the subject had been discussed, did not appear to have struck the mind of any party but himself. He could not avoid viewing this bill in conjunction with two other measures now before the house. They all appeared to be component parts of the same system. With respect to the first of these bills, which was intended to contract the number of voters in Ireland, if the principle were once conceded, he knew not where it would end. If once they commenced this disfranchising system, could any man say to what extent it might be carried? It appeared to him to be a most dangerous precedent. If he understood correctly the intention of the honourable gentleman (Mr. Littleton) who introduced the bill, it was not meant to affect the existing 40s. freeholders; but, as they expired, the right to vote, which would devolve, under ordinary circumstances, on those who succeeded them, was to be done away, by which measure about 250,000 persons would be disfranchised. Such a measure as this appeared to him to be highly objectionable. Then came the bill for the support of the Roman-catholic clergy. If a minister of the crown stood up in that house and assented to that bill, which went to the appropriation of half a million of money, he must consider him either as acting on his own responsibility, or as having stated the case to his royal master, and received his consent to the measure. If he were wrong, it was easy to correct him; but he

always understood that when application of this kind was made for the appropriation of the public money, it was, as a matter of form, necessary to procure the royal sanction. It struck him, that if it were asked for without that sanction, the proceeding was irregular; and if it were granted, it proved that in case the bill were passed, his Majesty would have no objection to it. They had not, however, been apprised of any such assent having been given. He was convinced that 7-10ths of the population of this country were hostile to the bill now under consideration. What, he asked, was the state of the country? What was the state of that house? The demise of that house must take place in a very short time. At the end of next session it must of necessity die a constitutional death. (*No, no.*) Well, then, let it go on to the end of the seven years. But, when its term was out, were gentlemen sure, under the peculiar circumstances of the country, that the next parliament, supposing this and the other bills to pass, would approve of those measures? He thought it would be otherwise. Would not the new parliament be likely to call upon ministers to show that they were borne out in what they had done? In his opinion, if there were any appearance of this measure being carried through the lords, it would become the duty of his Majesty's ministers to advise a dissolution of parliament forthwith. Nothing, he conceived, could be more unpopular in this country than the introduction of a bill for the purpose of granting support to the priests. From every thing he heard, and from every thing he saw, he was thoroughly

thoroughly satisfied that if the house permitted the bill for the support of the priests to pass, no responsibility being attached to those who brought it forward, no adviser of the crown having been consulted on the question, it would be attended with very serious consequences. He thought the house would be acting not only incautiously, but rashly, if they carried into effect a bill of this kind, since, in all human probability, the next parliament would recede from the enactment; and thus the country might be plunged into a state of anarchy and confusion from which it would be found difficult to extricate it. The conduct of the attorney-general for Ireland, on this occasion, surprised him very much. He had called on the house, very properly, to suppress the favourite association of the catholics—that association which was said to represent the opinions and feelings of the whole body. But it was most extraordinary that he should, almost in the same breath, when he moved the third reading of that bill, the object of which was to put down the organ of the catholic body, introduce another, admitting to the highest privileges in the state the very persons whose conduct had excited so much apprehension. How could his learned friend reconcile this? He wished to know to what extent it was intended they should go? He was desirous of being informed what constitutional loss was likely to be sustained by those different measures, and whether any intention existed of bringing forward others? If the people of England were reconciled to this bill for emancipating the catholics—if their feelings could be ascertained, and these

feelings were favourable to it, then the measure might be passed with safety. But, as they knew not what the real feelings of the people were, he called on the house to pause. If they did not, he feared they would have some reason to rue their hasty proceedings. It was not his intention to oppose the motion for going into a committee. But, as he felt very strongly on this subject, he had availed himself of the present opportunity to declare his opinion.

Sir T. Lethbridge said, he was also one of those who felt it a duty to oppose this bill. He rose rather to express the opinions which he entertained, than in the hope that he should be able to prevent the house from going into a committee; although he felt it absolutely necessary that a division of the house should take place before that step was resolved upon. He would shortly state the view which he took of this very important and vital question. It was, as he thought, altering the legislation to a pretty considerable extent—nay, it was legislating upon legislation. It went to repeal that oath of supremacy which every member of that house had taken in the presence of each other, and in the face of the country. He did not doubt that the terms of that oath were in the recollection of every person who heard him; but he would nevertheless request that the clerk might be ordered to read it over. (*The clerk here read the oath of supremacy.*) If, then, resumed the hon. gentleman, it should turn out that the bill before the house would have the effect of violating the oath which had been just read, he need not say what would be its effect on all

all hon. members who looked at this subject in the same way as he did. There were two points of view from which this question might be contemplated. The first was, that every member who was returned to that house as a representative of the people of England, entered it upon the condition, implied if not expressed, that he would preserve the British constitution in church and state, as it had been handed down to us by our forefathers. This condition, according to his apprehension, no man was at liberty to get rid of. The persons by whom these hon. members had been returned were well aware of the nature and effect of this oath, and he was glad of the present opportunity of telling the house that those persons were neither so ignorant nor so careless about it as they had been represented to be, but were sensibly alive to the course which was now proposed to the legislature of the country. The other view which he took of the subject, and which, in his opinion, was not less forcible, was, that by a direct enactment, the house would recognize the authority of a foreign potentate. The terms of the oath which had been read were positively against any such introduction; and yet, by the bill it was proposed to form a board of catholic bishops, who were beforehand engaged by a solemn oath to obey in all respects the authority of the church of Rome. This he took to be a point which by no argument the house could get over. Arguments might be used against this with so much ingenuity, that he should find it difficult, perhaps impossible, to answer them; but he denied that any man could controvert the fact

which he there advanced. He trusted that the house would see its forcible effect, and not persist in a course which must stultify all the past experience of parliament, and break down the securities which had been wisely provided for the protection of the constitution. If the house would look to the preamble of the bill, they would find a great deal about the permanence and inviolability of the protestant church. He might, perhaps, be told, that he ought not to attempt to pull to pieces the bill; but whether in the opinion of others, he ought, or ought not, still he would do it. It was altogether a most vicious piece of legislation, and it could never be passed without a violation of that solemn engagement which they had entered into with one another and with the country. There was in the very outset of this bill a curious anomaly: it talked, as he had said, of the preservation of the protestant establishment; and yet, in the subsequent parts of it, proceeded to provide for the return of Roman-catholic members for Ireland. Now, in the union with Scotland, there was a clause directly against the return of any such member. This, therefore, was to him not only an important point, but one which the house could in no way get over. Not, however, to dwell upon this, he should call the attention of hon. gentlemen to the statement, that the declarations related only to matters of spiritual and religious belief, and not to the allegiance of his Majesty's subjects. The truth of this statement could not be proved. If it could, why, he asked, were catholic members not now sitting there? Why was it necessary

sary to legislate for them at all? Did they not protest and entertain (and he gave them credit for the zeal and sincerity with which they did so) their faith in the supremacy of the church of Rome, and did they not vow to continue that faith to their death? Their allegiance, then, was divided. The allegiance of the subjects of these realms ought to be entire, and was payable to the sovereign on the throne, who was acknowledged to be the supreme authority in all matters, spiritual as well as temporal. Upon what pretence, then, could catholics pretend to a constitutional and undivided allegiance? It was a contradiction in terms to talk of it, and in fact was wholly opposed to the truth. What was the objection of the catholics to the oath of supremacy? It was only for one word, to which they could not agree. And did the oath proposed by the bill before the house (which he did not quarrel with because it was tightly worded) obviate this objection? Had any of those persons whose evidence had been taken as conclusive authority in the committees, been asked if they would take this oath? He believed that no honourable and conscientious catholic could be found to take this oath. He might, perhaps, misunderstand the creed of the catholics, but he believed, nevertheless, that it would be found very difficult to induce any of them to adopt this oath. He wished to know whether the catholic bishops would do so. He had read through the evidence of Dr. Doyle, and very heavy work he had found it. That reverend prelate had been asked if he had taken an oath of obedience to the

pope of Rome, and he answered that he had. He was then asked if he recollected the contents of that oath, and he answered that he did not. It appeared to him rather extraordinary that a person of his high character in the church to which he belonged should not know this. Dr. Doyle said, however, he could get a copy of the oath from the vicar apostolic. He (Sir T. Lethbridge) did not know whether this oath had been seen by any member of the house: for himself, he had not been able to find it, high or low. He had, however, got a copy of an oath, which he believed was that taken by the Roman-catholic clergy, and which, although he would not pledge himself for its verbal accuracy, was, he believed, nearly correct. The persons making it swore to pay entire obedience to their Lord the Pope, and to assist him in the recovery of the popedom, and the royalties belonging to it, against all men,—to support his authority to the utmost of their power, and, as far as was possible, to make other persons do so, and to receive as conclusive the decisions of the holy canons, and of the council of Trent. The hon. member asked, then, how it was possible that persons who had taken this oath could, with a safe conscience, substitute for it another, which in every word and every sentiment was opposed to it? It was impossible to do so without the commission of flat perjury; and this consideration, if it were the only one, was, in his opinion, so important, that it ought to influence the house against going into the committee. With regard to the commission of Roman-catholic bishops, he ob-

jected to this, because it was to be composed wholly and solely of these persons. In all the previous bills of a similar nature, security had been provided, by the introduction of protestant counsellors among these bishops; but here there was to be no control over them—not even by the power of the sovereign himself. Was this constitutional? Was it safe or expedient that this power should be vested in the hands of Roman-catholic bishops, who, as he had proved, had already taken an oath of unlimited obedience to the pope? Was this like the wise and cautious proceedings of our forefathers, who, after they had established the civil and religious freedom of the nation, provided a sufficient security for their future preservation? He would detain the house only to make two or three general observations. It was said by those who were favourable to this measure, by way of inducing others to adopt their view of the subject, that the catholics of the present day were different from those of other times, and that they had been so much altered that they might now be safely admitted to a full share in the advantages of the constitution. If this assertion were sifted, and a careful examination made into the character of the catholics of Ireland, of Spain, and of France, at the present day, he believed the house would come, as he had done, to quite a contrary conclusion. Although the evidence before the committees had been carefully worded, and very ably given, let any dispassionate man look at it, and say if the bearing of that evidence was not all one way. If it were not, he (Sir T.

Lethbridge) had read it ignorantly, and with prejudice, and had come to an erroneous conclusion. But there it was before the country; and lest he should be said to misrepresent, he would refer to some parts of that given by Dr. Doyle. With respect to the right of the pope to nominate to benefices, he said it had been enjoyed since the time of the Stuarts, and that it could not now be separated from his holiness. This was saying a good deal: but he even went further, and said that any interference of a protestant monarch would not be admitted by the catholic church. There was also a passage in a letter by Dr. Doyle to the secretary of the Kildare Catholic Rent Association, which had been written coolly and deliberately, and was not liable to any of the mistakes which by possibility might have been made, owing to the rapid and unpremeditated manner in which his evidence before the committee had been given. He said, “the spirit of the catholics had not yielded under oppression, but, like the ruins of their ancient greatness which overhung that town, (Kildare) retained their venerable and majestic appearance, and reminded the beholder that it had once been great and free. Although now it was enslaved by the tyranny of a worthless and base faction, it could spare from its competence, or even its wretchedness, a part of what escaped the hand of the despoiler.” This was the cool expression of the feelings of the right reverend doctor. In the recent instance of a petition which had been prepared at Wetherby, a Roman-catholic gentleman of great wealth and importance had alluded

to the profanation of the churches and abbeys, once catholic, and which were now devoted to the protestant worship. Could it be doubted, that if this gentleman should be—as, if this bill were passed, he might be—returned to parliament, he would propose or promote any measure which should restore things to their ancient state? The hon. member then quoted a passage from the preface to the Roman-catholic version of the new testament, written by the Rev. Dr. Troy, in 1816, where the burning of all heretical books, particularly the English bible, was particularly enjoined, and where the prayers of the protestants were said to be no better than the howlings of wolves, and not heard in heaven. He could go on to quote passages of a similar nature, but this was enough, he thought, to show the house that the catholics of 1825 were not in spirit wholly different from those of 1725. The hon. member who was crossing the floor (Sir John Sebright) had said, that he was ashamed to see the house of commons discussing the catholic question in these times. He (Sir T. Lethbridge) was astonished at the house doing so; and he wondered that in these times any ministers would dare (he did not mean this in a personal sense) to bring forward a measure, the object of which was to abrogate the securities which had been provided for the preservation of the constitution. He felt that he had said more than he ought, and he thanked the house for their indulgence. He felt it to be a duty to protest against the vicious principle of the bill, and the violation of the solemn oath which it would occasion. He

would remind the house of the words of the late king, when he was very hardly pressed on this subject. He said, "I am ready to descend from my throne—I am ready to retire to a cottage—I am prepared to lay my head upon the block; but I am not prepared to violate the solemn engagement I have entered into with the country." Without such a violation, the honourable member concluded by saying, he defied the house to enact the law now before them.

Mr. Peel said, that the general impression amongst members certainly was, that the sense of the house would not be taken on the measure in its present stage. He had himself tended to create that impression by stating that he would take the sense of the house on the third reading; he was therefore unwilling that any thing should be done in contravention of what appeared to be the general understanding. He had heard with satisfaction that it was not the intention of the gallant general (Gascoigne), or the hon. member for Somersetshire (Sir T. Lethbridge), to divide the house at this stage, because such a proceeding would be unfair towards those honourable members who were absent from the house, under the idea that the bill would pass through the committee as a matter of course. It was hardly necessary for him to state, that he acquiesced in the proposition that the speaker should leave the chair, only because he would have another opportunity of taking the sense of the house on the question. On a future occasion, the measure would come before the house with all the alterations which it might be in the contemplation of those who

who introduced it to make with regard to its very objectionable provisions. On the motion for the third reading of the bill, when the measure would be before them in its perfect shape, he would take the opportunity of performing his promise—he could not call it threat—of dividing the house. On that occasion, he should have very little to add to what he had before stated on the subject. He should, however, feel it his duty to enter his decided protest against the measure. He was in a minority on the question; but he could not carry his deference for the opinion of the majority of that house so far, as to acquiesce in the measure. He should have further to state, that his objections to the bill now under consideration, so far from being weakened, were strengthened by the vote to which the house had come on a former night, and by which they were pledged to make a provision for the Roman-catholic church. At present he hoped that no member would consider it necessary to take the sense of the house on the question of going into a committee.

Mr. B. Clarke said, it was impossible that Ireland could remain in its present state. Under present circumstances, nobody would invest capital in Ireland; nobody would live in it who could avoid it. If the bill before the house were passed, he was convinced that government might withdraw every soldier from Ireland. Ireland would then be kept quiet with the assistance of the catholics themselves. His family had always supported the question of catholic emancipation in parliament, under the conviction that upon the success of it alone de-

pendent the happiness of Ireland. He had risen at that moment, thinking that what he had to say might not be altogether useless.

Colonel Trench was of opinion, that the unhappy situation of Ireland had resulted from the system of misgovernment which has long prevailed in that country. That system had, however, been changed; the good seed was sown, but it could not be expected that the crop should be reaped directly. If government for two years longer pursued the same course upon which they had entered, it would be impossible for agitators to excite disturbances in Ireland. The hon. member who spoke last said, that nobody would carry capital to Ireland. Capital to a large amount had, he knew, been carried into that country, and more was about to proceed thither. That capital would produce industry, and industry would produce tranquillity. He opposed catholic emancipation, because in Ireland the immense mass of the people were in an ignorant and degraded state, and were entirely under the influence of the priesthood, whom he believed to be directed, in their turn, by political persons and feelings. The present was the proper moment for the government to make a stand against the catholic claims. The catholics would not be content with what parliament would give them; they would never be content until they obtained possession of supreme power. He had no objection to admit the catholics to the privilege of a silk gown, about which so much had been said, but he would exclude them from the sacred circle of the protestant constitution. He dreaded foreign influence by

by means of the priesthood acting on an ignorant population. He had attentively considered the evidence which had been given before the parliamentary committees, and was compelled to come to a conclusion different from that to which the honourable member for Armagh had brought his mind. He hoped the house would give him credit for entertaining an honest opinion on the subject. He could declare from his own observations, that the mass of the people of Ireland were perfectly indifferent with regard to the question of emancipation, until within the last year, when they were roused by the exertions of the priests. The gallant general had said, that he was for carrying the main body, and abandoning the wings—alluding to the catholic relief bill, and the two measures which were considered appendages to it. He differed from the gallant general, for he felt it necessary to resist the encroachments of the main body, but would use every means in his power to promote the success of the wings. He believed that those two measures would do much to promote the tranquillity of Ireland. If parliament, on the present occasion, were to make a firm stand—to say, “thus far we will go, and no farther,”—the question would be set at rest for ever. It would be an insult to the English catholics to pass the bill before the house; it would, in fact, be an acknowledgment that parliament had yielded to the threats of the Irish catholics, what they had never been disposed to grant to the loyalty and good conduct of their English brethren.

Mr. William Bankes trusted

that his acquiescence in the motion for going into the committee would not be misunderstood. He did so merely because he thought the resistance offered to the bill should be open and manly. The third reading was the stage on which to take the sense of the house.

The house then resolved itself into the committee, *Mr. Macdonald* in the chair.

The bill having been read a first and second time,

The Speaker rose, he said, to occupy the attention of the committee but for a very short time. After the recent and very elaborate discussion which this subject had undergone, he very much doubted whether any person could say any thing now with regard to it, and he certainly was not prepared to arrogate to himself the capability of doing so. He was perfectly aware that, according to the strict rules and forms of the house, the present stage of the bill under consideration was neither the most convenient, nor the most regular occasion, for any member to state his opinion with regard to it; but as his opinion on the question remained entirely unchanged, and as this was the first opportunity, and perhaps it might be the last, on which he should be enabled to address the house on the measure, he trusted he might be permitted to say a few words. Nothing, then, which he had heard or read had relieved his mind from the serious apprehensions with which it was filled with regard to this great, and, as he thought, most dangerous measure. Having said thus much, he could assure the committee, that he had no amendment to propose, nor did he wish to press a division, particularly after

after the opinion of the house had been so decidedly expressed on that point. However painful it might be to him to differ from the majority of the house—however painful it might be to his feelings to differ from the opinions of those whose opinions he ought to respect, and on whose opinions he in almost every case placed the greatest reliance; and above all, notwithstanding he felt that the course he was now pursuing was a great evil, and to be justified only by the necessity of the case; still feeling that a question of this kind admitted of no compromise, so long as he retained his conscientious objections to the question of emancipation, he should be ashamed of himself if he did not declare them. He hoped that the committee would pardon him for having troubled them with these few words. He had, as he before stated, no amendment to propose, nor was he aware that it was intended to propose any, or to come to any division in the committee. He had been anxious not to remain silent with regard to the present bill, the only public measure with which he had interfered since he had had the honour to fill the chair.

Sir H. Parnell took that opportunity of stating that the hon. member for Somersetshire, in reading the oath taken by Roman-catholic bishops, had omitted a very important passage, in which they stated that their relations with the pope could in no way shake their obedience to the king and royal family.

Mr. Peel thought that the oath which the catholic bishops at present took was highly objectionable. The house ought to have had some

assurance that it would be modified before they pledged themselves to grant provision for the Roman-catholic clergy.

Sir H. Parnell replied, that what appeared to be the objectionable parts of the oath, had been explained to be harmless by high catholic authorities. The words *salvo meo ordine* were introduced into the oath to separate the spiritual obedience which the catholics owed to the pope, from that which they owed to their sovereign.

Mr. Bransby Cooper professed himself at a loss to see how any good catholic could take the oaths proposed at all. He must, by so doing, renounce principles which his church—or the see of Rome at least—had ever maintained, and still contended for.

Mr. Vesey Fitzgerald said, that the oath which the hon. member thought no good catholic could take, was, in fact, the oath already taken by all the catholics in Ireland. Now, whether those catholics took the oath with the consent of the see of Rome, or in defiance of its authority, the hon. gentleman should take his choice, and assume the fact to be which way he pleased.

Mr. Brougham said, that the oath was required to be taken only by those who were called to exercise some public function. If they should not undertake the office, there would be no necessity of taking the oath. Some hon. members objected to the oath as an insufficient security, in consequence of what was supposed to be the absolving power of the pope. But he begged to ask, what other security had they at present but that of an oath? What was

was there to hinder his learned friend, Mr. O'Connell, from coming into the house at the present day but an oath? There were many parts of Ireland (he would not name them, lest he should give alarm to some of the Irish members) where, if Mr. O'Connell presented himself as a candidate, his election would be certain. There were also some places in England in which, if he presented himself, his return would be secure. What was it that prevented him, but an oath? "Oh, but," said the opponents of this bill, "the pope may absolve him from that oath." "No," replied Mr. O'Connell, "I do not believe that he or any other authority has that power, and therefore I will stay out of parliament, because I cannot conscientiously take it." Why, the thing was quite plain, and he did not despair of making it understood even by the hon. member for Bristol. The hon. member, however, and his consort the member for Surrey (Mr. H. Sumner), who sailed together on this question, fired whole broadsides at every kind of oaths, and yet turned round and said this was not sufficiently strong as a security. Why, in the name of heaven, or he would say,—as perhaps something of greater weight with those who were now so much alarmed for the security of the protestant establishment,—in the name of Dr. Duigenan himself, what security could they have greater than that which they already possessed? What, he would repeat, prevented the catholic from coming into parliament without the intervention of any bill, but his respect for the sanctity of an oath, and his consequent unwillingness to take one

1825.

from which he knew he could not be absolved? For his (Mr. Brougham's) own part, he was not anxious for any oath, because he did not believe any such security necessary; but he consented to an oath being embodied in the bill, because he knew that he had to conciliate prejudices; and if, by allowing the oath to remain, he could make even one convert in this house or in the other, he would consent to the oaths remaining as they now stood in the bill: but he did not admit that they were in themselves necessary to the security of the country. He concurred with what had fallen from the right hon. secretary of state for foreign affairs, that no force could be required to enter by the door of the constitution unless it were closed. Let the door be opened, and the force would spend itself.

Mr. Peel said, that when they relieved the catholic from taking the oath of supremacy, they should also consider the situation in which they might leave the conscientious protestant with respect to it. By the very fact of exonerating the catholic from the oath, an admission was made that the pope had some spiritual supremacy; and yet the protestant would still be called upon to swear "that no foreign prince, prelate, state, or potentate, hath or ought to have any power, pre-eminence, or authority, ecclesiastical or temporal, in these realms." Now how, after an admission of the spiritual authority to the Roman-catholics, could a protestant be called upon to swear that it did not exist?

Mr. Plunkett did not think the protestants would be in a worse situation after the passing of this

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bill than they were before it, with respect to the oath of supremacy. Why, his right hon. friend knew—every body knew—that the pope did at the present moment exercise an authority—a spiritual authority in this country. But those who took the oath denying any such authority, did so with great safety, because they meant it, and the oath meant no more than that no such authority or control existed over the person taking it. If the oath was intended to convey that no such authority existed any where in this country, then all those who swore that, must swear to what was false. If, however his right honourable friend wished to have a bill to relieve the tender consciences of any individuals with respect to the oath, he should have no objection whatever to such a course as a distinct measure.

Mr. Peel did not consider the explanation of his right hon. and learned friend satisfactory. It was true in one sense, the situation of the protestant would not be worse than at present, if this bill should pass; but in another it would, because by this bill, the spiritual authority of the pope would, to a certain extent, be legalized, which it was not at the present moment. We were now about to grant salaries to Roman-catholic archbishops and bishops, which would be recognising the catholic church as legally established, which it was not at present.

Mr. Brougham observed, that after the able statement of his right hon. and learned friend (*Mr. Plunkett*), he should despair of convincing the right hon. gentleman opposite; but still he could not avoid saying a few words. If the oath of supremacy was to be

understood in the sense in which the right hon. gentleman took it, no man could swear it without swearing falsely, because no man could deny that the pope had a spiritual authority recognized in this country by a large portion of our fellow-subjects. He had taken the oath, and he did it safely. He swore, not that the pope had not some authority over many of his (*Mr. Brougham's*) fellow-subjects, but that he had not any over him, or those who thought with him. But the right hon. gentleman said, that we had not hitherto recognised the Roman-catholic establishment; but was it recollected that the government paid for the education of Roman-catholic priests, who were commissioned by the pope?—that was a recognition of the catholic church as great as that now proposed, and yet he had not heard of any man who had vomited forth the oath of supremacy in consequence.

Mr. Peel did not admit that the catholic bishops were recognised in their prelatial capacity. They were called most reverend, and right reverend; but their titles as archbishops and bishops was not admitted.

Sir J. Newport asked why were the titles "most reverend" and "right reverend" given to the catholic archbishops and bishops, if not to distinguish their rank from that of the other orders of catholic priesthood. The time was, when catholic priests were hunted down wherever they were found in this country. That time was now gone by for ever. Was it intended to re-enact those penal laws, and reduce the catholic priest to his former state? If not, why deny the catholic hierarchy that

rank to which they were by ordination entitled? He thought that when his present Majesty was advised by his ministers to receive the catholic bishops, and did receive them, at his levee in Ireland, that he fully recognized them as such, and that it was not quite decent in a minister of the crown now to deny that which his sovereign had publicly acknowledged.

Mr. Peel said he was not recurring to the subjects which the hon. member had introduced, nor had he any wish to proscribe the catholic clergy. All he contended for was, that they were now about to make an alteration inconsistent with the existing law, and that some other law would be required to reconcile the oath of supremacy to the conscientious feelings of many individuals.

The next clause provided that no catholic should be eligible to be lord-lieutenant or lord-deputy in Ireland.

Mr. Robertson spoke at some length against the bill. He concluded by proposing that there be added, as an amendment to this clause, the following words:—"or of being returned as member to serve in parliament for any of the universities in that part of Great Britain called England and Scotland."

The amendment was negatived without a division.

The Chairman then put the clause containing the regulations which are deemed necessary touching the appointment of bishops and deans of the Roman-catholic church in Ireland, and the commission which is to issue to Roman-catholic bishops.

Mr. Brougham said that he had an amendment to propose upon

this clause. After reading the following words of the clause; "And whereas it is expedient that such precautions should be taken, in respect of persons in holy orders professing the Roman-catholic religion, who may at any time hereafter be elected, nominated, or appointed to the exercise or discharge of episcopal duties or functions in the Roman-catholic church in Ireland, or to the duties or functions of a dean in the said church, as that no such person shall at any time hereafter assume the exercise or discharge of any such duties or functions within the united kingdom, or any part thereof, whose loyalty and peaceable conduct shall not have been previously ascertained, as hereinafter provided"—he said he wished to add to them these words:

"And whereas it is fit and requisite to regulate the intercourse between the subjects of this realm and the see of Rome, be it therefore enacted, that it shall and may be lawful for his Majesty, his heirs and successors, by two several commissions, to be issued under the great seal of Ireland, to nominate and appoint such persons in holy orders professing the Roman-catholic religion, and exercising episcopal duties or functions in Ireland, as his Majesty, his heirs, and successors shall think fit to be commissioners under the act for the two purposes before mentioned, and that the person first named in the said commissions should be the president thereof." The learned gentleman said, that as he had before stated the grounds on which he recommended these securities, he should not now pretend to repeat them. The objection to this measure was, that by

agreeing to it the house would legalize the spiritual authority of the pope. He asserted that the house would do no such thing: it would merely regulate the existence of that which had existed for many years, in spite of its enactments. That the pope had spiritual authority in this country could not be contradicted. For instance, if the pope were to ordain him a priest, and the king were to appoint him to the bishopric of Durham—one of the most lucrative appointments, by the by, in his gifts, and the best trade of all now going—he would be entitled to become a bishop *per saltum*, and would not require ordination from any person qualified to confer it in the English church. As a proof that he was not indulging in mere idle assertion upon this point, he would remind the house of a case of recent occurrence in Ireland. Dr. O'Beirne, the late protestant bishop of Meath, was originally ordained a priest by the pope at Rome. He was then a catholic, but afterwards becoming a protestant, he was made a bishop without any farther ordination. He would offer no further argument in addition to those which he had already advanced on the subject of securities. He saw no danger, and therefore could not admit the necessity of securities. He was, however, willing to grant them, in order to obtain the support of those who were not willing to accede to the bill without securities. He believed that the proposed securities were perfectly innocent, and he was nearly certain that they were utterly inefficacious. He had therefore, upon principle, no objection to urge

against them; on the contrary, he was rather anxious to concede them, in the hope that they might be of some utility in allaying the rancour of religious animosity. The learned gentleman then placed his amendment in the hands of the chairman.

Mr. Peel said, that as the authority of Bishop Horsley had been referred to in the course of the debate, he could wish that hon. gentlemen would refer to the reverend bishop's speech for the arguments contained in it. The reverend prelate drew a distinction between the different authorities exercised by the pope of Rome, which well deserved the attention of the house. He admitted the pope was bishop of Rome, and that he had liberty to confer degrees within his own jurisdiction; but he denied that the pope had any liberty to do so in this country, and upon that principle refused to remove the disabilities under which the Roman-catholics laboured. He would only say a few words on the provisions which this clause introduced into the bill. He declared, with the utmost candour, that it would be a great satisfaction to his mind if the hon. and learned gentleman would leave these provisions entirely out of the bill. He made that declaration, not with any sinister intention of thereby defeating the bill, but from a full conviction that such provisions were worse than nugatory. No objection which he felt to the removal of the catholic disabilities would be removed by the existence of such securities. They were very different from those which had formerly been proposed by his right hon. friend the secretary of

state for foreign affairs; and such as they were, they were disclaimed by the hon. and learned gent. opposite, who said that they did not come from him, but were framed out of pure deference to the scruples of those gentlemen with whom he (Mr. Peel) had the honour of acting. It was remarked by the fabulist, that

"The child, whom many fathers share,

But seldom boasts a father's care;"

and his remark seemed verified in the present instance. This clause appeared to have no legitimate father. The hon. and learned member disclaimed the securities it contained; and he was obliged to follow his example. They were not required, the hon. and learned gentleman said, by the catholics; and he would add, that they were not all wanted by the protestants. If any gentleman would get up and say that these securities would be effectual securities to the protestant church in Ireland, he would waive the objection which he now felt to them; but if no person should be found anxious to support them, he hoped that the hon. and learned gentleman would consider whether the bill would not be better calculated to conciliate the people of Ireland without these securities, than it would be with them. He objected to them on this ground—that they imposed on the crown an obligation to appoint two permanent commissions, composed exclusively of ecclesiastics. Besides, they provided that if the bull, dispensation, or other document received from Rome were of an innocent nature, it should be sent to the parties to whom it was directed, but did not provide for what was to be done with it, in case it should appear

to be of a dangerous description. There was likewise no penalty attached to any bishop who should exercise episcopal functions without having received such a certificate as was mentioned in the present clause. Add to this, that no commissioner would like to impeach of disloyalty a man who had not been convicted of some disloyal act. There was nothing more vague than the ideas attached to the words loyal and disloyal; and he would therefore wish to know what construction the hon. and learned gentleman intended to put upon them?

Mr. Plunkett said, that he should have no objection to throwing these securities overboard, if by so doing he could ensure the company of his right honourable friend to the conclusion of his voyage; but as he could not flatter himself with a hope of such a consummation, and as he knew that the abandonment of these securities would deprive him of the support of several of the crew with whom he was then embarked, he felt bound to keep them at all hazards. For his own part, he thought these securities to be effectual securities, and to be highly essential to the success of the bill. Still, if he deemed them as useless as he believed them to be serviceable, he would abide by them for two reasons—first, because they tended to make the bill more likely to succeed; and secondly, because they tended to conciliate towards it the protestant feeling of the country. In spite of the taunts of his right hon. friend that these securities had not the good fortune to possess a father, he would avow that he was the person on whom this hantling had a right for support. When he

recollected

recollected that all former securities had been similar in nature to the present, and especially those which considered oaths and commissions as admissible, he could have no reason to disown his connexion with it. Indeed, he saw a strong necessity for granting these securities in the fact that they recognized, for the first time, the admissibility of catholics to the privileges of the constitution. It was also known that catholics lived under the spiritual controul of their priests—were influenced by it to a certain degree in their political conduct, and were, by means of their priests, in constant connexion with the court of Rome. He held it to be no inconsiderable security, that when the people were so much under the influence of their priesthood, that priesthood should be brought into connexion with the state, and should give to it full assurance of its peaceful and loyal behaviour. As to the objection that loyalty was a vague term, which meant every thing and nothing, he would merely reply that it was an objection which might have had some weight, supposing they had been framing an act of parliament to punish a want of loyalty. In that case it might have been necessary to define clearly the meaning of loyalty in order to ascertain the extent of crime which was concealed under a want of it; but in the present case, no such niceness of language was required; it was only necessary that the commissioners should certify whether the candidate for preferment was what in common parlance was called a loyal or a disloyal man. He admitted that the securities of the present bill were not the same with those of

the bill which he had introduced in 1821. By the bill of 1821, the commission was to consist of certain prelates, certain laymen, and certain ministers of the crown. By the present bill, no layman, nor minister of the crown, would be admitted into it, but it would consist exclusively of Roman-catholic prelates. He considered the security of the present bill to be equally good with the securities of the bill of 1821. He should not have suggested any change in those securities, if it had not been for this reason. He thought it his duty to furnish the committee with such measures as would be thankfully received by the catholic population; and he was informed, on good authority, that to a commission of this nature no part of it would object. It was no slight recommendation of this bill to say, that it was a measure which, in the present critical state of Ireland, was calculated to give immediate and universal satisfaction in that country. He did not propose this species of security to guard against the supposition that the Roman-catholics were bad subjects. The Roman-catholics were like other subjects; if they committed crimes against the state, they were liable to punishment by the ordinary laws of the country. The dangers against which the house had to guard were those which arose from the catholics being contradistinguished in several respects from the other subjects of the realm. He took it for granted that the Roman-catholic prelates were good subjects—were honest men—were persons whose oaths could be relied on; and if that were admitted, he would ask whether it was not a great security that the crown should be allowed

allowed to select four individuals from their body, from time to time, by whose certificate it could be assured that every person enrolled into their number was a loyal subject, and not only that he was a loyal subject, but that this nomination had been domestic, and had not proceeded from the pope, or from any foreign power. Domestic nomination had been considered, from the commencement of these discussions, as a security equal to a direct *veto* on the part of the crown. The people of Ireland were ready to grant domestic nomination without a murmur, whereas the *veto* could not have been given to the crown without great difficulty, and perhaps not without entering into an express *concordat* with the pope. In conclusion, the learned gentleman said, that even if the question of catholic emancipation could not be carried, he should consider an arrangement of this nature to be highly essential to the security of the empire, and to the tranquillity of Ireland.

The original clause was agreed to.

Several other clauses were then agreed to without debate. Upon that respecting the oath to be taken by the ecclesiastical commission,

Mr. Peel complained that it had no reference to the English catholic ecclesiastics, who were really more dependent on the pope than the Irish.

Mr. Plunkett was really at a loss to see what danger could be apprehended from the catholic hierarchy in England.

Mr. Brougham concurred in this view of the absence of all danger from such a body.

Upon the clause for regulating

the reception of bulls from the church of Rome, being agreed to, the house resumed. The report was brought up, received, and ordered to be taken into further consideration on Monday next. The bill was ordered to be printed, and read a third time on Tuesday next—a reservation being expressly made, that on either of those occasions the opponents of the bill should be at liberty to take their ground against the same, as if the question should be upon the bringing up the report.

The other orders of the day were disposed of, and the house adjourned at one o'clock.

House of Commons, May 10.—

On the motion of *Mr. Curwen*, the order of the day for the third reading of the Roman-catholic relief bill was read.

On the question that the bill be read a third time,

Mr. Curwen rose to declare his opinion to be in favour of the measure.

Sir R. Inglis said, that the ground on which it was attempted to pass the bill before the house, was, that the Roman-catholic religion had changed its character—that it no longer possessed the same intolerant, tyrannical, and persecuting spirit which distinguished it in former days. It would be his duty to attempt to prove that this argument, which the friends of the catholics so boldly advanced, had no foundation in fact, and that the church of Rome was not only unchanged but unchangeable. He would first beg leave to direct the attention of the house to the intolerance which that church exhibited with respect to literature. Had it not prohibited the productions of all the

the master-minds which had appeared since the reformation? The house, he trusted, would pardon him for quoting from a volume which he held in his hand, containing a list of works which had been prohibited by the Roman-catholic church. First of all was the works of the great Bacon. The date of their prohibition was 1669. Let not the house suppose, however, that he intended to bring forward only ancient facts; the prohibition was renewed in 1819. Fifty years hence, perhaps, the names of Dugald Stewart and Paley would be associated with that of Bacon, and placed under the ban of the Romish church. "Locke's Essays on Human Understanding" was another proscribed work; so also was the "Paradise Lost" of Milton, and Alberoni's work on the "Newtonian Philosophy." Was the spirit which dictated the prohibition of these books one of the facts on which the supporters of the bill before the house relied, as proving a change in the feelings of the catholic church? Grotius, *de jure Belli*, and Puffendorf, were likewise placed under proscription: in fact, as he had before said, the works of almost every master-mind which had appeared since the reformation were to be found in the black-book of the catholic church. In the course of the debate on this question, reference had been made to Fenelon, Pascal, and Quesnel; and an hon. member had asked whether that church could be bad to which such men belonged? His reply to that question was, that those eminent men did not belong to the catholic church, for their works were set down in the prohibited list. How

it could be contended that men represented the catholic church, when that very church proscribed their works, he was at a loss to conceive. He would now state a very material fact connected with this part of the subject. Not only were all Bibles printed in the vernacular tongue of the south of Europe prohibited, but the New Testament was also given up to the Inquisition. It was said with respect to these books, *ne quisque audiat, aut legere, aut emere sub pœnam*. After he had stated these facts, he thought that the measure before the house, let it be supported on what ground it might, could not be on that of a change having taken place in the spirit of the church of Rome. The late pope was one of the most protestant popes, if he might be allowed the phrase, that Europe ever saw. An hon. member of that house had described him as one of the best of protestants; yet what had been the conduct of that man, who owed his personal gratitude to the British nation for the restoration of the works of art to his capital? He was so imbued with the spirit of the Romish religion, that when the English residents at Rome—he spoke in the presence of many gentlemen who had been at Rome, and could correct him if he misstated any point—applied to him for leave to have a chapel in which they might attend to their own mode of worship, he refused to allow it. They were certainly permitted to attend to their worship in the drawing-room of one of their countrymen; but not only was there no external evidence of the protestant religion, but it was by connivance only that it was practised. If the right hon. secretary

secretary for foreign affairs had been in his place, he would have asked him whether there was not in the records of his office, a memorial from the English at Rome, requiring his interference with the papal government, to procure for the protestants at Rome a burial-place. When he was at Rome, the place in which protestants were permitted to cast their dead had no wall or fence to protect it. When the late pope was a prisoner in France, Napoleon asked him to tolerate all religions: the answer which he gave should never be forgotten by the protestants. His answer was contained in a circular letter to the cardinals, and was to this effect:—"It was demanded that every mode of worship should be free, but we have rejected the proposition as contrary to the tenets of the catholic religion, the tranquillity of states, and the tranquillity and happiness of life." The same pope, in an encyclical letter to the bishops, said, in reference to a proposed union of the catholic with the protestant religion, "As well might we unite Christ with Belial." Were these facts any evidence that the church of Rome had changed with the change which had taken place in the intellectual character of the age? It was true that the physical power of the church of Rome was less than formerly, but its disposition to exercise spiritual and intellectual tyranny was as strong and vigorous as ever. We had bound the strong man; but his spirit was still stirring within him; and let us beware how we admitted him into the temple of the constitution, lest he should burst his bonds, pull down the

fabric, and involve himself and us in common destruction. What was the first act of the late Cortes of Spain, when they were taking so much care to preserve their own civil rights? They declared that the only religion of the state was the holy Roman-catholic apostolic religion, that it was necessary to protect it by wise and just laws, and that the exercise of any other was prohibited. The deputies to the Cortes swore to preserve that religion inviolate. In the new state of Mexico, and in Belgium, the same intolerant spirit prevailed; and the first act of the Sardinian government, on its restoration, was to restore the old intolerant laws on the subject of religion. The evidence which had been given before the committee, and on which it was attempted to found the argument of a change in the catholic religion, was in his opinion fallacious. He was sure that the hon. and learned member for Winchelsea, or the hon. and learned member for Peterborough, would not venture to appeal to a jury on such evidence. The evidence of Dr. Doyle was totally inconsistent with the opinions contained in his letters signed "J. K. L." If he had given such evidence in a court of law, it would have been the duty of the hon. and learned member for Winchelsea to ask whether he had not, at another time and in another place, said directly the contrary of what he was then stating. The hon. member here contrasted several passages of the evidence of Dr. Doyle and Mr. O'Connell with the writings and speeches of those gentlemen, to show that the opinions contained in the one and the other were inconsistent.

inconsistent. He believed that emancipation was comparatively an object of no desire to those in whose name it had been so long and so clamorously called for. He founded his opinion on the testimony of those who had often represented themselves as the friends of the people. The house would probably recollect the testimony which was given by Dr. M'Nevin before a parliamentary committee in 1798. He was asked by a noble lord, who at the time held a pen in his hand, "Do the people of Ireland care the value of this pen, or the drop of ink which it contains, for catholic emancipation?" His answer was, "No." It might be said that this was a leading question; and here, by the by, he must declare, that never in his life did he read more leading questions than those which had been put in the committee up stairs; but what said Emmett, who was no mean authority in Ireland, in 1798, before the explosion? He said, "I consider that the people of Ireland do not care a farthing for catholic emancipation; nor did they care more for reform, until they were told that it would lead to other objects, of which one was the abolition of tithes." Oliver Bond was examined at the same time; and he said, in answer to a question which was proposed relative to the institution of the Society of United Irishmen, "The Society of United Irishmen was instituted in 1791, for the purpose of obtaining reform: the question of emancipation was a mere pretence." He was asked, "Do you think the mass of the people of Ireland care about reform?" His reply was, "No; but those who think for

them do." He believed that the case was much the same at the present day. The bill, if it were passed to-morrow, would not, he believed, satisfy those persons who disinterestedly took upon themselves to think for the people of Ireland. Our whole constitution was a system of exclusion. Power was regulated in this country by age, sex, and property; and he thought that we had as much right to look to opinion in the administration of our mixed constitution, as to age, sex, or property. The hon. member concluded by saying that he would vote against the bill.

Mr. Horace Twiss took it to be unnecessary to attempt at this time of day to interest the feelings of the house in favour of the catholics; the true course was, if possible, to convince those gentlemen who opposed them, that all they demanded might be conceded, without either danger of consequence or infringement upon the constitution. The statute of Charles II., which was the act that excluded catholics from the legislature, if hon. members would attend to the precise expression of it, became very important upon this point. The preamble of that statute ran thus:—"That, whereas divers good laws against papists and popery had failed of their effect, owing to the catholics having still access to, and influence at, court; therefore it should be enacted," &c. &c., going on to provide that they should in future be debarred of admittance into parliament. Now what, was the house aware, were these "divers good laws," which this restrictive act was passed to maintain? They were no other than the detestable and

and now exploded enactments, the "code of pains and penalties." The pains and penalty statutes were the "good laws." What was become of them? To the honour of England, they were every one repealed. And yet, was it possible to imagine a greater measure of absurdity? We retained and cherished the restriction which was set up to support those laws, 30 years after all trace of the laws themselves had disappeared. Why, then, if this fact, and the general conviction that nothing like the second moving cause to the statute of Charles II. (the danger or terror of the popish plots) now existed—if this left the advocates of the existing tests to rely upon what had been declared at the time of the revolution, then he (Mr. Twiss) maintained that those hon. gentlemen mistook that for a measure of principle which was a measure of expediency; for the real object looked to, in what was done at the revolution, had been to secure, by all possible means, the then precarious sovereignty of the Prince and Princess of Orange. He repeated, that the house must not take that to have been admitted as principle, which had merely been endured to serve a temporary necessity. The true principle of the constitution, to which we were bound to revert the moment that temporary necessity ceased, was, that every subject was entitled, not merely to toleration and to security, but to every possible degree of right and liberty to which the state could admit him without danger. Besides, the mere course of population—the mere change of numbers—would alone alter the fair

view of a subject at any time. That course might have been reasonable and tolerable in the reign of King William, when the catholics of Ireland were 1,000,000, and the protestants 700,000, which could never be borne in a state of things like the present, when the catholics to the protestants were in the proportion of more than five to one. He took the case to stand exactly thus—All the original causes for enacting the present restrictions had ceased to exist; and the vindicators of those laws stood just in the same position as though they had expired, and they were demanding to re-enact them. What had the hon. gentleman to say in favour of such a course—what dangers had England now to apprehend? Why, did not every man feel, now, that cruelty, and bigotry, and tyranny, and intolerance, had belonged to ages, and to individuals, rather than to systems? If Mary had burned protestants, and Cranmer tortured catholics; and if Henry the Eighth had plundered either side, and tyrannised over both, did any hon. member believe that such courses could be repeated, or were likely again to be attempted, in the present day? For those hon. gentlemen who objected to the present time for passing the proposed bill, lest it might be apprehended that the house was alarmed into concession by the measures of such societies as the Catholic Association, was it not giving to such associations more weight than they were entitled to, to suppose that the house of commons could be influenced by such a feeling? Let the house be sure that it was better for England to make the concession now, than to make

make it—when she must make it—whenever next a war broke out. She would make it then, and properly, far better than never; but certainly she would go nearer to be suspected of apprehension than she could possibly do at present. The hon. gentleman sat down by contending, that at all events the Catholic Association was now at an end; and that as it had been fit to put a period to the exaggeration of Irish grievances, so the house could scarcely do better than now to put a period to the grievances themselves. Ireland was now enjoying a degree of tranquillity to which, for years past, she had been a stranger; and, so far from seeing any thing objectionable in the present time to passing the measure of emancipation, he doubted if we should easily again meet with an opportunity so fortunate.

Mr. Hart Davis contended, that the constitution of England being essentially protestant, no concession of power should be made to the Roman-catholics beyond that which they possessed at the present moment. He was the less disposed to consent to any further concession, because he had no guarantee that the catholics would be more satisfied with those now proposed, than they were with what they had already obtained. Was it, he would ask, decent or just to the sovereign of the country, that he must be protestant, while at the same time he might be surrounded by catholic counsellors? He, for one, was not disposed to trust the catholics. He had no confidence in the professors of that religion; for he believed, that if they got what they now sought, they would strive

to become equal in the state to the protestants, and when they obtained that, they would strive for the superiority. With those impressions on his mind, he should give his vote against the bill.

Mr. C. Grant thought the proper mode of looking at the bill was to consider what the state of Ireland would be without it; he contended that in the event of a war the relief must be granted, and that it had better be granted now.

The Solicitor General contrasted the extemporaneous evidence of Dr. Doyle with the deliberate writings of that individual, under the signature of J. K. L., and stated, that with all the respect that he felt for a catholic bishop, he could not believe him as a witness, when he heard him uttering sentiments directly in the teeth of all that he had written. The three measures of catholic emancipation, of the elective franchise bill, and of the proposed establishment for the catholic clergy, were so blended together, that he could not oppose the first without saying a few words in condemnation of the other measure. With regard to the elective franchise bill, he would declare that it was one of the most unconstitutional measures he had ever heard of. The defenders of it said that it was made an adjunct to the catholic relief bill, in order to conciliate Ireland. Good God! to conciliate Ireland! Was the admission of Lord Fingall and Mr. O'Connell to parliament—was the emancipation of the patrician and equestrian orders of Ireland from the disabilities under which they laboured, calculated to reconcile the general mass of its population to the loss of one of its best and

and dearest privileges? In his apprehension a more unconstitutional measure had never been attempted since the grand forfeiture of the charters before the revolution. No borough had ever yet been disfranchised without due investigation of the charges brought against it, and without a considerable mass of evidence being taken upon oath to substantiate them; and yet the house was now precipitately going to disfranchise half the voters of Ireland upon evidence of the most conflicting and unsatisfactory nature, without having got any two individuals whom it had examined to agree as to the qualification which the freeholders of Ireland were hereafter to possess. Having said thus much on the elective franchise bill, he would now proceed to the resolution relative to the proposed remuneration of the catholic clergy. By that resolution they had determined to establish a papal church, armed with all the jurisdiction belonging to papacy. He thought that the house could not be aware how large, how extensive, how perfectly intolerable that jurisdiction was. Were hon. gentlemen aware that the rite of baptism, the rite of marriage, the rite of sacrament, the rite of entering the church, that of confirmation, that of receiving charity, and that of burial, were all spiritual rites which could be withheld or not, according to the will of the clergy? Supposing them to be withheld, what relief could the Irish catholic receive? If the house gave the title of bishops to any of the catholic clergy, along with the title, they must give them all the spiritual jurisdiction of their church; and if they did give them such

jurisdiction, how could they provide against the abuse of it? He threw these points out to the consideration of the house, and trusted that they would not be without their due weight in this discussion. Connected with this subject was the form of oath to be taken by the catholic bishops of Ireland. Why did these bishops refuse to take the same oath as was taken by the catholic bishops of Spain? The bishops of that country admitted the supremacy of the sovereign in the oath which they took on their investiture; for in their oath was this clause, "*salvis regalibus et usitatis consuetudinibus et totâ subjectione domini Ferdinandi.*" Why could not the bishops of Ireland swear with a similar salvo? He complained that there had been a considerable doctoring with the oath to be taken by these prelates. It was different in the bill of 1816, in the bill of 1821, and again in the present bill. He could not say that the present form of it was *auctior* than it had previously been, because it was shorter; nor *emendatior*, because it was less correct. The honourable and learned gentleman went on to describe the jealousy with which the policy of the French government watched the conduct and correspondence of a nuncio resident within their territory, and the regulations by which they secured to the chief officers of government the inspection of his communications from and to Rome, as well after his departure as during his stay. Such was the caution used in a catholic state in admitting any emissaries or delegates from that dangerous power—a state, too, which took care previously to secure itself as much as possible by retaining

retaining for the crown of France, against all the papal pretensions, the right of nominating its own bishops. There was no catholic state in Europe—not even Spain, where the abominable tribunal of the inquisition prevailed—that did not show something of a corresponding jealousy, in its regulations of the intercourse between the clergy and the see of Rome—that did not compel, by some means, a recognition of the right of the government to keep the ecclesiastics in submission and subjection to the secular power. The term securities, though a word of mere cant as now used, was ridiculous in its application to the present rude and vague law. What security could there be in a commission of popish bishops, empowered to inspect all communications from Rome, and report thereon to the privy council? What security would there be for abuses in the treasury, if, instead of those continual checks put upon the financial administration by the house and its members, the chancellor of the exchequer could prevail upon parliament to appoint instead, a commission to inspect the affairs of the treasury, composed of four lords of the treasury? Would not the constituents of the hon. baronet twit him with the fallacy, if he were to propose no better securities for the administration of the money of the nation? Yet such was his provision for the protection of the national religion. He would not reason gravely upon such securities. A great man would be ashamed to throw away the powder and shot of a good argument upon so wretched a position. These were not the penalties provided by Mr. Grattan,

illustrious alike for his enlightened views and his patriotism, in his bill; nor by his hon. and learned friend the attorney-general for Ireland, in the bill which he brought in. Those bills did carry the principle, that the state must have the opportunity of viewing all documents coming from that quarter, and the power of inspection was given to the great officers of state accordingly; but it was said that the catholic religion prohibited the exposure of those sacred documents to the unhallowed eyes of laymen. Not so, thought the French government, which from Henry IV. down to this time, had always secured for the lay-officers of state that power of inspection. He compared the adjuncts of the bill to wings, by which it had promised as if for once it certainly would make an Icarian flight. And yet, for all its wings, he could not help thinking that down it must come. It was said that circumstances were so altered, that popery was no longer dangerous, and still less obnoxious—that the atrocities charged against it were taken from the iron ages of superstition and violence. They were, therefore, to look at its present state, green and fresh as it appeared. He proved by the petitions presented, 353 against and 54 for, that whatever sophistry might have been used on the particular occasions of presenting them, to show that the sense of the country was in favour of the bill, the opposite was the fact. As to the wings of the bill; the moral one for the disfranchisement of the freeholders must fail; and as a constitutional lawyer, “so help him God” he trust, upon conscience and conviction,

tion, oppose it to the utmost. The ecclesiastical adjunct of the bill for paying the clergy, was, if possible, more objectionable. Parliament never could vote money for the purpose of bending down six millions of people in a degrading and dishonourable slavery to a spiritual thralldom, which assumed the power of excommunication and eternal perdition, if its victims were only to venture to read the word of God, or to offer up their prayers to him without leave first obtained of a priest. He concluded by moving an amendment, "that the bill be read a third time this day six months."

Mr. Huskisson next spoke in favor of the bill, and *Mr. Peel* against it: he was followed by *Mr. Brougham*; after which the house divided, and the bill was carried by 248 against 227.

House of Commons, May 16.—The West India company bill was read a third time and passed by 103 against 25.

Mr. Canning laid upon the table the copy of a treaty between Great Britain and the king of Sweden and Norway, for the prevention of illicit dealing in African slaves. The right hon. gentleman said, that Sweden herself was not at all suspected of being engaged in this nefarious traffic, but that, unfortunately, it was believed her flag had been made use of to cover the cargoes belonging to other nations. The object of his Majesty's government was, of course, to extend the power of searching for slaves in suspected vessels as far as possible; and this request on the part of Sweden had been acceded to. He was sorry that another treaty to the same effect, which had been alluded to in the royal speech—a

treaty with the United States of America—had not yet been accomplished.

Mr. Canning laid upon the table a copy of the treaty of amity, commerce, and navigation, between the kingdom of Great Britain and the united provinces of the Rio de la Plata.

Sir Robert Wilson said, that he looked upon this treaty as only the first of a series which were to be formed between this country and the States of South America generally. The document was a glorious avowal, and one which he trusted would be long remembered, of the homage done by the greatest and purest country in the old world to the progress of civilization in the new. It was to the immortal honour of the powerful and rising people with whom we were now connecting ourselves, that, in casting off a yoke which degraded and enslaved them, they had sullied their triumph by no act of cruelty, or even of revenge. He could not but believe, that the policy which had been pursued by England would be as profitable to her as it was now creditable; and the right hon. gentleman opposite, who had laid the papers on the table, had his (*Sir R. Wilson's*) warmest thanks for the part he had taken in it.

The judges' salaries bill went through a committee. The cotton mills bill for restricting the labour of children, was read a second time.

House of Lords, May 17.—*The Earl of Liverpool* laid upon the table the copy of a convention between Great Britain and Russia respecting the right to certain territory on the north-west coast of America; the copy of a treaty between

between this country, and Sweden and Norway, for the prevention of slave traffic; and the copy of a treaty of amity, commerce, and navigation, between Great Britain and the United Provinces of Rio de la Plata.

Many petitions were presented both for and against the catholic claims.

The *Earl of Donoughmore* moved the order of the day for the second reading of the Roman-catholic relief bill.

Lord Colchester observed upon the systematic conduct pursued by the Catholic Association, and complained that the tranquillity of Ireland was said to have been effected by a power unknown to the state. So far as the parliamentary inquiry had gone, it did not remove any of the objections to this measure. He contended that it was a measure adverse to the general feelings of the country. They had always shown a readiness to grant to the Roman-catholics a full participation in the enjoyments, advantages, and interests of the constitution; but these, unless accompanied with political power, had always been refused. It had been surmised that further concessions were necessary: it might be so. They enjoyed the right and security of property: still, if the ends of justice required further regulations for the security of property, let them be made. Civil employments were already open to them—the army and the navy had long since been opened to them, but nothing would satisfy them, it seemed, but the broad road to political power. The bill now before the house demanded admission for them to all the governments under the crown,

the lord-lieutenancy of Ireland only excepted. Under the provisions of such a bill, which went to the extent of admitting to the highest political situations the Roman-catholic community, could any man doubt that the protestant church of England and Ireland was likely to be injured? What were the tenets of the catholic religion? He would leave to more learned men the task of tracing those tenets through the works of individuals who had written in the older times. He would content himself with adverting to some publications which had appeared in their own days, which had come under their own observation, and of others that had made their appearance at no very remote period. The most prominent of the writers of the present day, in favour of the catholic claims, (*Dr. Doyle*) denied the justice of those laws by which the church of England held its supremacy in those realms. The same opinion was to be found elsewhere. Last year, in a debate on the catholic question, a document was referred to, in which it was broadly affirmed that the ministers of the protestant church would ever be detested by those who differed so greatly from them in religious belief. But then it was said, that all danger was avoided by the cautious manner in which this bill was drawn up. But did those who so argued recollect the oath of the Roman-catholic ecclesiastic? He swore to keep most secret whatever counsel he received from the pope, the supreme head of his church. His oath ran thus—*"Concilium Domini Papæ tenebo omnino—et nemini dicam."* Was there no danger to be apprehended from those who were thus bound

to conceal the counsels of their great leader? They had heard not a little about the ornaments of the catholic church, in foreign countries. Their learning, virtue, and piety, had been greatly eulogized. But let their lordships turn their attention to the doctrines of the bishop of Meaux (Bossuet), one of those who were particularly pointed out as patterns of toleration. What did he say on this subject? He said that which no doubt was echoed by all his brethren, that the right to use the power of the sword, in addition to the ordinary force of the catholic religion, was not to be questioned. Most unhappily they had known instances in this and the sister country, where the doctrine thus laid down had been acted on. How did the French prelate to whom he had just alluded conclude his funeral sermon over Louis XIV.? He, in his peroration, praised the conduct of that monarch, and for no act of his life so much as for the extermination of heretics. This showed what the doctrine of the church of Rome had hitherto been, and it remained for those who supported the present measure to show that it had undergone an alteration. This bill, it appeared, was to be connected with another measure, which would secure a provision to the Roman-catholic clergy—a kind of *regium donum*. He looked upon this as a very unfair proceeding towards the protestants. He conceived it was extraordinary that such a proposition should have been made, without any notification, in favour of a grant of that kind, having been made on the part of the crown. He contended that such a grant would

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not be right. It would be a virtual recognition of the Roman-catholic religion in this country—a thing which had not been heard of for ages in this realm. To that proposition he must decidedly object, because it appeared to him to be most unconstitutional. There were many other points connected with this measure which deserved the deepest consideration. It was proposed, to prevent any mischief from the intervention of a foreign power, to have recourse to the domestic nomination of bishops. But of what use was that, when, unless the pope agreed to receive the person nominated, the proceeding became null? They had been reminded that the Roman-catholics of Hanover were placed on a footing with their protestant brethren; but it was proper to observe, that the Roman-catholics of Hanover allowed to the monarch, that which the Roman-catholics of this country denied to the king—the right of interfering with the investiture of bishops. This was not all. It appeared, that a commission was to be appointed to examine the bulls and rescripts of the papal see which might be sent to this country; but the superintendence of those original bulls and rescripts was not to be intrusted to any member of his Majesty's government. Their lordships must all have heard of a publication which was now circulating through the heart of England on this subject. It was an address from the Irish Roman-catholics to the Roman-catholics of England—telling the latter expressly that they were unjustly deprived of political rights, and not forgetting to tell them that they ought to wrest those

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those rights from the government of the country. A power which proceeded in this way ought to be attentively watched. The Roman-catholic hierarchy, let it be concealed as it might, possessed an authority in this country, of which the legislature ought to be jealous. Strange to say, a Roman-catholic institution, which was excluded from Roman-catholic countries generally, had contrived, not only without law, but, in his opinion, against law, to acquire large possessions in England. When this was an acknowledged fact, who could be hardy enough to contend that there was no danger, if farther concessions were granted to the Roman-catholics, of their exercising an extensive sway in this empire? It was argued, that in other countries, the Roman-catholics held an equality of rights with the protestants. But, when this was the case, the circumstances of those countries were very different from the circumstances of this empire. If, under a despotic government, Roman-catholics of great talents and great ambition attempted, by popular aid, to disturb the existing order of things, their career could at once be checked by the prompt exercise of power. But, under a free government, like that of Great Britain, this could not be done. Much mischief might be effected before the evil could be checked. The notification in a single gazette, might, in one night, alter the constitution of that house, by introducing there a number of individuals of a religion which the state had long been accustomed to look upon with suspicion. A great deal had been said of the securities which the Roman-catholics

offered; but, in his opinion, the best security which could be devised for the constitution, was to prevent the Roman-catholics from any farther participation in political power. Emancipation was the great watch-word on this occasion. He would say, that the emancipation which was most necessary for Ireland, was emancipation from bigotry, emancipation from ignorance, emancipation from that foreign power whose spiritual authority was acknowledged there; and, finally, emancipation from the extreme subdivision and under-letting of lands. Let this be done, and the peace of Ireland would be secured. That country would then be freed from the baleful influence of party. The result of all his observations was, that the disturbances which had occurred from time to time in Ireland, were not the consequence of feelings irritated on account of religion. Some active political leaders might assume that as the cause, but he believed that all those disturbances had their origin in some specific grievance. As a proof of this, let their lordships turn their eyes to the north of Ireland. There the difference of religion was as great as in any part of that country; but there was there more employment and less poverty; and the consequence was, that the disturbances which were common to the south of Ireland, were there unknown. The present tranquillity of Ireland was adduced as a reason for carrying this measure; but the very cause to which that tranquillity was ascribed, ought to make the legislature more vigilant. They were told, that the power of priests was not so great as it had formerly been. His firm belief was,

was, that the power was only dormant—that it could easily be called into full operation—that “it is not dead, but sleepeth.” He called on that house, he called on the legislature, not to resign the high situation which they now held, for the prospect of contingent advantages. He called on them not to fill with discontent the great body of protestants of England, Scotland, and Ireland, by conceding these demands. Fully impressed with the justice and policy of these sentiments, he begged leave to move, “that the word *now* be left out, for the purpose of substituting this day six months.”

The Marquis of Anglesey was anxious to offer a few words in explanation of the vote which he meant to give this night. That vote would undoubtedly be against the second reading of the bill now under consideration. He knew that, in taking this course, he opposed the sentiments of many of his friends, but, on the other hand, he had a duty to perform, which, however painful, he would conscientiously discharge. He had formerly given a different vote, but he felt that he might now, consistently with the course of proceeding which he had adopted on other occasions, oppose the breaking down of a most important barrier of the constitution. The change of circumstances, he conceived, fully admitted and justified his conduct. It appeared to him, that the different concessions made to the Roman-catholics had not been met by them with a corresponding spirit of conciliation. Each concession had given rise to new demands, and had tended only to produce restlessness and

dissatisfaction. Judging from the tone and language which had recently been used, it seemed to him that nothing short of catholic ascendancy would satisfy the catholic body. Allusion had been made to force—it had been almost threatened that the measure should be carried by force. Six to one had been spoken of, as the relative proportion. Now, if there must be a contest, (and the idea was most painful to him)—he repeated, if they were to be threatened with the opposition of 6,000,000 of men to 1,000,000—if the fight must come, he should like to meet it when the country was in the best possible situation—when peace prevailed on every side. Still he must say, that he was really and sincerely a friend to the Roman-catholics. He would grant them every relief that was proper, but he would take care to grant them nothing at the expense of the constitution. Seeing the necessity of upholding and maintaining the protestant ascendancy, he could not consent to any farther extension of political privileges to the Roman-catholics. With respect to the measures which were said to be connected with the bill now before the house, he would offer a very few remarks. He did not object to an alteration of the elective franchise in Ireland—it might probably be productive of good; neither did he object to making a provision for the catholic clergy; but he must be allowed to say, that if a protestant king paid a catholic clergy, he could see no reason why that protestant king should be excluded from all power in the appointment of a catholic bishop. He should now conclude, as his

only object was to explain the ground on which he gave his vote on this occasion—that ground was, an anxious desire to support the existing establishment and the protestant constitution of this country.

The Marquis Camden spoke in support of the bill. He entered into a statement of his proceedings when lord-lieutenant of Ireland in 1795. At that time he was commanded by his late Majesty to cause an inquiry to be instituted into the state of Ireland, and he could aver that there was, at that time, a strong desire on the part of the Irish government to attend to the claims of the catholics. He was so strongly impressed with this feeling, that he had written a letter to Mr. Pitt, in order to show the necessity of a revision of the system. In 1797, his confidence was so great in the Roman-catholics, that he had stated it to be his opinion, that if an enemy had landed on the south-west coast of Ireland, the Roman-catholics would have fought against him. If, from the passing of this bill, he saw the least possibility of danger, he certainly would oppose it; but he felt no such alarm. It had been contended, and it was made a strong ground in support of these claims, that at the period of the union a promise had been given that they should be conceded. He was sure that every step taken on that occasion was correct; and he felt himself justified in saying that no pledge was then given to the Roman-catholics. He could assure their lordships that he felt a real love and affection for that country, in which, notwithstanding its occasional seasons of popular violence

and insubordination, he had passed many of the happiest hours of his life, owing to the intelligent society he had met in the higher circles, and the general good feeling that pervaded the lower classes. It was his earnest wish, that at so favourable a period as the present, every thing should be done that could with propriety be effected towards the conciliation of the Irish nation, which would doubtless be most grateful for a measure of such a nature as this. He had therefore felt it his duty, upon the best consideration, he could give to this subject in all its bearings, and under the whole of the circumstances which surrounded the question, to deliver his sentiments in favour of this bill.

The Earl of Darnley concurred most cordially in the greater part of the observations that had fallen from his noble friend; and most especially in that declaration which his noble friend had so emphatically made, that the present was the time, if it was intended ever to concede these claims to the Roman-catholics of Ireland at all, at which the concession ought to be made. If their lordships were at any time to pass this important bill, they ought to pass it now, for never could they avail themselves of a more auspicious opportunity. With respect to what had fallen from the noble and gallant marquis (*Anglesey*), though he (*Earl of Darnley*) had the misfortune to differ in the most decided manner from the sentiments and principles advanced by him, yet he thought their lordships must admit, whatever might be their opinion in regard to those sentiments, that they could not have been delivered in a more ingenuous

genuous or a better manner. Sorry he was, however, to observe what that noble and gallant marquis said upon the effect which their lordships ought to attribute to the language which had been held in Ireland, in respect of the privileges that she claimed. Whatever might have been the intemperance of the language, (and he did not mean to deny that it had often been intemperate,) their lordships would do well to remember what it was that had occasioned it, and how many had been the provocations to excite it; for he could by no means agree with the noble and gallant marquis, that no such provocations had existed. All that had fallen from the same distinguished quarter as to the insincerity of the objects which the Roman-catholics of Ireland stated that they had in view, had occasioned him (Earl of Darnley) much surprise; because he should have thought that the noble marquis, from his experience of Irish fidelity, would have been the last person in the world to make such a charge against the great majority of that people. For his own part, he had never yet heard an argument, or the shadow of an argument, to induce him to swerve from those opinions that he had always entertained in support of this measure. The noble earl then adverted to the Catholic Association. At the beginning of this session, attempts had been made to put down that board by a course of proceedings, not very consistent, undoubtedly, with the forms of the constitution. He could have wished that those attempts had been very differently conducted; and if the government felt called upon to notice the

irritating language complained of, surely it might have proceeded to suppress the Association by ordinary legal means; or to prevent the recurrence of such language by a tone of dignified conciliation. It might have been expected that the government, with that firmness and good sense which had distinguished its proceedings latterly, would have requested the Association to desist from that irritating tone which was evidently calculated to excite so mischievous an effect. No doubt some intimation of the kind would, in the first instance, have been sufficient. His noble and gallant friend talked of concessions: but he must have forgotten the manner in which the last of these was made. No man among their lordships knew better than the Lord Privy Seal opposite, how they were at first refused. The claims of the Roman-catholics were at that time met with the same arguments and the same answers as they met now. In the summer of 1792, when the government was in a comparatively embarrassed state, the catholics were told that they could not expect such concessions at that time; and the protestants throughout the country pledged themselves that they never would be granted. Within a few months afterwards, however, they were recommended as concessions proper to be granted, in a speech from the throne. How much better a season did the present seem for the extension to the catholics of such further concessions as would put them on a level with their fellow subjects. If it was intended ever to give them these, let them be given now,

now, in a time of peace, and of national quiet and prosperity; but let not their lordships defer the boon to a period of danger and of alarm. As to the results of that theological inquiry into the doctrines of the Irish church to which a noble lord had alluded, he (Earl of Darnley) himself recommended the adoption of such an inquiry; but he could not concur in the conclusions which that noble lord seemed to draw from the answers that were elicited in the course of its prosecution. Upon a very recent occasion, their lordships had received information on these topics from the mouths of highly respectable and unimpeachable witnesses. That information was such as their lordships had never had before; for he might say, without any disparagement to noble lords, that they, in common with their countrymen, were for the most part wonderfully ignorant of the people of Ireland and their opinions. The noble lord had, in effect, asserted that the emancipation from their present disabilities, which was claimed by the catholics, was, in truth, a mere pretence; and used only as a stepping-stone towards the ultimate overthrow of the existing institutions of this country in church and state. He (Earl of Darnley) hearing that assertion, could yet scarcely believe his own ears; but speaking, if he were wrong, under the correction of those noble lords who had been present, he would beg to refer their lordships generally, to the undoubted testimony of a great number of unimpeachable witnesses examined before them, who had uniformly and explicitly declared themselves to the contrary of that assertion—

denying the intentions so imputed to them. He could not suppose that the noble lord was influenced by what might be called a feeling of hostility to such respectable evidence; and it was therefore needless to insist upon its weight. As little did he deem it necessary to compare the writings produced in the course of the polemical discussions between the catholic clergy and others, with the evidence lately given in the committee that had been alluded to before their lordships. He would not even advert, if their lordships so pleased, to the evidence of Dr. Doyle and Mr. O'Connell; though he would be well content to rest their credibility, not so much on the public reputation of those gentlemen as on that very evidence. He would only say of one of them, that if he had not happened to have been brought up from his cradle in what their lordships were of course accustomed to consider the prejudices of the Romish faith, he would (without hereby intending any sort of disrespect to that right reverend body) have proved no unworthy acquisition to the bench of bishops. He (Earl of Darnley) would now read a short passage from the evidence of a Roman-catholic gentleman, in whose acknowledged integrity the government had manifested such confidence, that he had been advanced by the lord-lieutenant to a very distinguished post in the Irish exchequer. This evidence was given in respect of another subject—namely, the project for disfranchising the 40s. freeholders. Their lordships would perceive that he was alluding to Mr. Blake.

“What effect do you think it would

would have upon the protestant interest?—I am satisfied that it would not weaken, but strengthen the protestant interest in Ireland; and I assure your lordships that if I did not think it would have that effect—if I thought it would go to disturb the protestant settlement in Ireland, not one of your lordships would disapprove of it more heartily than I should. The protestant church in Ireland is a great link in the chain which connects Great Britain and Ireland together; and with the security of that connexion, I am satisfied the interests of Ireland are essentially identified." Now, if he was to be told that Roman-catholic witnesses were not to be believed upon their oaths—if he was to be met with decrees of the council of Trent and other councils, supposed to have the effect of defeating such evidence, but very often totally misapplied, he should have nothing to say: but if this evidence was to be believed, and he (Earl Darnley) was then to be told that emancipation was only the stepping stone of the Roman-catholics, and the overthrow of our constitution their ultimate end, he must give such an assertion the fullest denial. It was true that the immediate effect of passing this bill might be to seat five or six of the most distinguished noblemen and gentlemen of the country in parliament. But if it was to introduce such noble and distinguished persons as the duke of Norfolk and the earl of Shrewsbury, for example, could it be considered as any other than a desirable measure? Why, it was feared that it might introduce also principles of legislation inimical to the doctrine of the established

church: but were not the household troops opposite him—the lawn legion—were not those right reverend prelates sufficient to preserve the orthodoxy of parliament? If they were to carry their anxiety for orthodoxy much further, they might begin to regulate at last the precise structure of the wigs which those right reverend prelates wore. And he really considered that the preservation of his own hair, or the assumption of a wig by one of that right rev. body, was a matter just as essential to the ascendancy and welfare of the protestant establishment in England, as was the exclusion of the Roman-catholics from any civil privileges that were enjoyed by their protestant brethren. But, besides these securities, did not the protestant establishment possess a host in such vigilant allies as the noble and learned lord on the woolsack, and a noble duke, who brought up with him a whole *corps de reserve* in this cause? The fact was, that political influence must in this country ever follow the majority of numbers and of property; and for this reason it was impossible, absolutely, that either in England or Scotland the Roman-catholic religion should ever again become the dominant one. He was perfectly persuaded that if these claims were finally granted that very night, the next elections would be determined, not by any religious considerations whatever, but by property and its attendant influence. A good deal had been said about the coronation oath. Now, how it could have entered the heads of any noble lords, or any other persons, to affirm that there was any thing whatever in that oath, as it stood, to prevent and preclude

preclude the king of this country from granting any further civil power to the catholics, he could not comprehend. If their lordships would look at the oath (for he had not a copy at that moment), they would find that in substance it was an oath which rendered it impossible to say that the admission of the catholics to civil power could interfere with those privileges and that inevitable ascendancy of the protestant church which the king pledged himself to defend. It did, therefore, appear to him that all such apprehensions and alarms of danger were imaginary. At the same time he was ready to admit, that there had been a great number of petitions presented against this bill; to which petitions he was not at all disposed to refuse their due weight. If they were to argue solely on their number, it must be believed that the sense of the country was very much against this bill. But if they looked a little further, their lordships would find that, naturally enough, the protestant clergy had given the example of such petitions; and, in a religious country like this, that example was soon largely followed by the inhabitants of counties, towns, and villages; and petitions of the same kind, very numerous signed, from the cities of London and Westminster, had been presented that night to the house. It was said no improper steps had been resorted to in obtaining signatures to those petitions; he believed the fact to be so: but their lordships could not be ignorant of the facility with which almost any petitions in a crowded city would be got up; and he would engage, as a proof of it, to procure a petition at a

short notice, and numerous signed, to remove even the hon. and learned lord who presided over his Majesty's councils from his post. The noble earl, after contending that a very different spirit, in respect of the catholic claims, was latterly manifesting itself even among the protestants of Ireland, and congratulating their lordships on a change, in which a near connexion of his own, (Mr. Brownlow), whose worth he would therefore leave to be spoken of by others, had led the way, asked whether there was a single Irish protestant to be found who would lay his hand upon his heart and say, that he believed things could go on in Ireland as they now were? His lordship concluded, by earnestly insisting on the importance of the present time as the most favourable for passing this great measure; and by pointing out the utter inefficacy of the most numerous garrison we could ever throw into Ireland to keep it in peace and tranquillity, so long as the claims of her catholic population to equal civil rights were neglected.

The Earl of Longford then addressed the house. Living constantly among a Roman-catholic population, regarding them highly as individuals, and respecting them as a body collectively, it would be readily imagined that he was most anxious to meet the views of the Roman-catholics of Ireland with as much favour as any man. But after very mature consideration, he could not bring himself to think that this bill would answer the sanguine expectations of those by whom it had been introduced into parliament, or that it was a measure that

that could be put into execution without manifest danger to the constitution. In giving his most decided opposition to this measure, he begged at the same time distinctly to state, that he was actuated by no spirit of hostility to the Roman-catholics. But while he repeated that he held them in very high regard, he must take leave to say that he could not at all see why they were to be admitted to a participation with protestants of certain civil rights and political power in a free protestant country. It had been rather imputed to those who, like himself, were unfriendly to such admission, that they wished to visit with penal consequences their peculiar doctrines: but he desired to observe, that they did not in any degree wish to interfere with the religious opinions; nor did they at all presume to measure the speculative tenets, or to regulate the doctrines of the Roman-catholics; but they were determined that the Roman-catholics should not interfere with theirs. The reason of their refusal of such admission was founded upon the political consequences that would follow upon their assent—political consequences that always had ensued, and that in his conscience he believed always would ensue upon conceding those privileges to Roman-catholics which were now claimed by them. Those consequences led to the perpetual interference of the papal authority and influence, nominally in spiritual affairs alone, but actually in the general transactions and ordinary business of life. It had been deposed, indeed, by witnesses examined before their lordships, and by others, that that interference was strictly confined to

spiritual matters and doctrine; but how and by whom was the line to be drawn that was to separate—in the judgment of a Roman-catholic, for example—spiritual from temporal affairs? How could it be supposed, that he who exercised an undoubted and unre-sisted influence in the one, would not exert it in the other? or that the power which guided a man's conduct in regard to spiritual things, would abstain from directing it in respect of temporal ones? He was of opinion that the Roman-catholic priesthood were able to lead the people with great facility, and their own constitution was well calculated ever to respect the supremacy of Rome. The commands of the superior to the inferior admitted of no dispute; while the principle of subjection in the inferior was as clearly defined as the right of the superior to his obedience. If they were to be emancipated, therefore, from the acknowledgment of that control recognized by our constitution, while they continued subject to the papal orders transmitted through their own clergy;—to admit to a participation of civil and political privileges those who still refused so to acknowledge a control which was submitted to by our own church, would be to put the Roman-catholic clergy on a higher footing than our own; and more especially when, if he was rightly informed, that control had been submitted to in other countries and cases. Under these circumstances, he could not think that the preamble of this bill was quite fairly worded: it contained a part of the truth, but not the whole truth. It was entitled, "A bill for the removal of the dis-qualifications

qualifications under which his Majesty's Roman-catholic subjects now labour—"Whereas the protestant succession to the imperial crown of this united kingdom and its dependencies, is, by the act for the further limitation of the crown, and the better securing the liberties of the subject, established permanently and inviolably." But there should have been added something to this effect:—"An act to admit and invest certain dignitaries and others of the Roman-catholic persuasion to and with political and civil privileges, which all experience had withdrawn from protestant dignitaries and others of the same station, except on submission to a certain control, from all obedience to which, such Roman-catholics are hereby exempted." In short, to grant them those privileges while they continued to deny our control, would be virtually, he repeated, to put them in a better situation than the members of our own church. He also excepted to the bill, on account of the power which the catholic priesthood would exercise and did exercise over their flocks, to an extent greatly beyond direction in matters affecting their spiritual welfare. He knew, indeed, that among the catholic clergy were many honourable exceptions to this description of them. He had nothing to oppose to the praises which had been bestowed upon them by noble lords who had spoken before him. But they were not to eulogise individuals—their business was legislation. He would ask, if they were to admit the Roman-catholic body to the highest places in the constitution, what was to guarantee the pro-

testant establishment? By the law none were admissible to the offices of political trust, but those whose allegiance was perfected. Of all the dissenters from the establishment, he knew of none whose allegiance was of necessity imperfect, except the Roman-catholics. Standing in the peculiar relation to us which they held, in what light must they regard us? What must be the feeling of a really conscientious Roman-catholic (for it was useless to take notice of any other) towards the national church establishment? They were to consider in this question what had been done by the protestants. Were not these dissenters from their faith usurpers of the authority of their creed, despoilers of the property of their church? In what other light could they look upon us? We were voluntary seceders from them, as the other dissenters were from the national establishment. They did not willingly nor without considerable struggles separate from our corps. There was nothing in principle, in christian-like feeling, in policy or expediency, which required them to make those concessions, or forbade their refusal of them. Much had been said against the entertainment of prejudices. There were some subjects in which prejudice must prevail; and he felt alike from early youth to remotest age—on which it was actually impossible for any man to think without prejudice. But were the partialities all on one side? Among the peers who surrounded him, he saw many who had the most perfect reasons which could exist for their partiality to the Roman-catholic interests—close connexions

jons—family feeling—the ties of friendship. Would not these give a bias to a man's sentiment as well as prejudice against the Roman religion? There was nothing to reflect on in all this. Such feelings were honourable to the parties who had them, and really heightened their general characters. Much might be said, as much had been said, upon the advantage of eradicating prejudices. In his view it was a dangerous experiment. It was comparatively easy to root out the belief of an established religion—it was utterly difficult to eradicate prejudice: but if success were less questionable, the idea was extremely dangerous. He had heard mention made of the just right of the catholics to these concessions. He denied the right totally. Men must lose their claims to right in such a question whose object or pretence was that of lending the interests of the many to their own view. Expediency used to be another argument for these claims; it was latterly changed into necessity. There was something said in the nature of mination, as if threatening had been used. He did not believe the fact. If he had believed that there was such a purpose, that would be the direct reason with him for making no further concession. He was under no such impression. The question for them was, since the restrictions were imposed, had the country advanced or gone back? Was it not at a pitch of prosperity, wealth, and glory, which were never equalled by any comparison of ancient or modern history? Let them consider the power, capabilities, and resources, which had developed themselves in this

little contracted spot of the earth's surface—not the fruits of extraordinary individual talents; but the slow, hardy, and gradual growth of ages; during which the oppressed catholics, so called, had enjoyed, in common with their protestant brethren, the fruits and advantages of those councils from which, for their own advantage as well as ours, they had been excluded. The country had advanced to the attainment of superiority in every thing which concerned the national welfare and security. Before departing from the line of her present course, it ought to be made manifest that something would be obtained quite equal to that which she possessed; and certainly the least which could be required would be to show that the benefits at present enjoyed could not, by these concessions, be impaired or lost. As a free state, he could see no reason for admitting the claims of the Roman-catholics. The expediency would be a different question in a state of less freedom, or in one of nearly despotic power. In the latter case the experiment might be made, and the concessions upon any inconvenience might be recalled. But a free state must pay some slight tribute of inconvenience for her freedom. Among the costs of freedom in this country was the occasional impunity of a few daring individuals, who had genius enough and no more to transcend the power of the existing laws. How could catholics, admitted to offices of state, be honest guardians of a church separated from the authority of their own, enriched with its spoils, and flourishing in opposition to its denunciations? The argument of adopting this measure, because

because it came up from the house of commons, might be good in many cases: in this their lordships would do best to make use of that invaluable privilege which belonged to them, of judging for themselves. For what was the fact? Was the bill supported by a questionable majority of the other house, or was it not rather a petty shifting majority—a majority merely in name? It could not be assumed that it was the sense of the country, when it was barely, if at all, the sense of the majority of the house. There was one thing which they were not to lose from their consideration. The subject had notoriously engrossed the public attention, and it was impossible that the public mind could cease to be employed with it for some time to come. According to the provisions of the constitution, the time could not be far distant when the sense of the country might be taken in the most direct manner upon this subject. They would then know with tolerable exactness how to appreciate that increase of converts, as they had been called, to the catholic cause. They would then see if they were justified in taking the sense of that majority for the sense of the country. He thought not. Protestant security required protestant ascendancy. Concessions to the Roman-catholics could not follow; because the right to them did not exist—justice did not exact them—expediency did not require them—the public prosperity could not be endangered by them—and they were quite incompatible with the protestant ascendancy, which was necessary for the well-being of the empire.

The Bishop of Norwich felt it

his duty again, upon the agitation of this momentous question, to entreat them to consider seriously the responsibility which devolved upon their lordships' house by their decision this night. He conjured them to pause before they agreed to continue to deprive 5 or 6 millions of their brethren, who were like themselves the subjects of a free state, of those civil rights from which no class of men ought to suffer deprivation on account of mere abstract opinions. Year after year had they excluded their catholic fellow-countrymen from eligibility to office, while at the same time they called upon them to contribute, equally with the more favoured classes of the community, to the services and exigencies of the state. And this principle of unjustifiable and unnecessary exclusion had been declared essential to the maintenance of the united churches of England and Ireland. In vain had he asked for a motive to justify this protracted infliction. What good purpose of religion, or morals, or policy, could so embittering a restriction produce? He could easily understand the bickerings and animosities of which it must necessarily be the offspring, owing to the infirmities of men's minds; but in vain could he find in it the slightest wisdom, still less the smallest resemblance to the pure spirit of that gospel which the christian church was bound to maintain and promote. When the catholics urged their claims for relief, they were met by a reference to the history of their ancestors in the year 1525. Of what use was that reference, and what good purpose could be produced by a revival of the intolerant recollections of past times? Better

for them would it be to bury in oblivion those retrospective cruelties for which religion, whose name was profaned by their infliction, must always blush. Instead of trying back to past times, he had rather turned to the careful examination of the present; and after its full perusal, he called upon any noble lord to point out what country, calling itself free, throughout the civilized world, used any portion of its subjects, on the ground of religion, in the manner in which they treated the catholics of this kingdom. Where had any set of loyal subjects been requited with so much harshness and severity? Where could such a code of laws be found as those which were developed in Sir Henry Parnell's history of the penal code against the catholics? It had been said, that without these laws, the established church could not be maintained in Ireland; he dissented from such an opinion, and was fully impressed with the contrary belief, that these laws were the bane of that church, and in reality exposed it to danger. But suppose it were not so, and that he could bring himself to believe that any country required a particular ecclesiastical establishment, which for its maintenance demanded a violation of the fundamental principles of justice and true religion—a subversion of the divine precept, of doing unto others on all occasions as you would wish to be done by—a departure from the equity of the divine commandment, then he would say that a church requiring such support did not deserve to be upheld in a free community. If the church of England could not be else maintained than by the permanent infliction of pains

and penalties, then he would not scruple to say, let it fall. The mere external fabric was not worth preserving, unless the great principles of justice and liberty of conscience could be practised and enforced within it. He had been asked, if he was prepared to risk the consequences of a deprivation of worldly honours, in a struggle for power. To this question his answer would be short and sincere. Worldly honours of whatever kind could only be of value to a well-regulated mind, as long as they could be enjoyed with a pure conscience, and for the benefit of society; their value must be measured by their utility; and he hoped he should never be found among those who sought their acquisition, or was content to retain them, by perpetuating division and discord. These were not hastily formed opinions—they were the mature result of the observation of a long life; he had entertained and expressed them for upwards of half a century, and he was now too old to change so rooted a conviction. Considering what had lately passed, and was still passing before his eyes, he thought the utmost experience which he could hope to attain sustained his earliest sentiments. As to the political part of the subject, he thought there was no getting rid of the apprehension of bad consequences of refusing the catholic claims. They had now, he felt, a glorious opportunity of doing justice to a large portion of his Majesty's subjects—an opportunity which, if neglected, could not perhaps be recalled. They might now avert many evils, by adopting a system of conciliation, which new events, and times possibly not remote, would

would compel them to adopt. What would now be received with gratitude, might hereafter be extorted without thanks. These were the reasons which induced him to give his warmest support to the bill.

The Bishop of Chester entirely concurred in the great importance of this question; and, in delivering his opinions upon it, he knew that they were opposed to those of many whose virtues he admired, whose characters he loved, whose friendships were among the most honourable distinctions he esteemed, whose wisdom he respected, and to whose politics he deferred. But there were duties, the conscientious discharge of which called for painful sacrifices; and in declaring the conviction to which his mind had arrived on this great question, he begged to assure their lordships that it was not formed until after the most deliberate, and assuredly the most faithful research, and the utmost desire to inform himself well upon the subject. He was free to confess that his mind had undergone a change upon the catholic question. His mind had been, from the force of early education, imbued with those principles of civil and religious freedom which liberal study had inculcated. The excessive severity of the penal code led him then to conclude that it was as unnecessary as it was harsh. But when, upon maturer consideration, he had acquired a greater experience, and fuller knowledge of the doctrines and practices of the catholic church, he became more deeply impressed with the paramount importance of a controlling religious establishment, necessarily endowed with

co-ordinate privileges and immunities. When he afterwards reflected upon the innumerable evils which, if not the Roman-catholic religion, at least popery had inflicted, and when he became convinced of the unchangeable nature of its principles, and that it only wanted an opportunity to re-assert its power and opinion over the consciences of others, he was satisfied that both policy and necessity called for the maintenance of the existing system. If aught were wanted to sustain this full conviction, he found it in the evidence given before their lordships' committee, and in the very parts of that evidence, in a version of which noble lords opposite declared they found cause to support the bill now before them. Before he went further into the consideration of this question, he wished to touch upon the treatment which the right reverend bench had received from some individuals in the course of these discussions. Motives of an unworthy character had been imputed to them for their opposition to this measure. He asked, what right had noble lords to impute to protestant bishops that they were actuated in their opposition to a public measure, by motives so mean and sordid as self-interest? What grounds had they for such an imputation?—what reasons, deducible either from history or observation, had they to justify this mode of unworthy attack? Was it personal interest that induced the seven bishops to resist the encroachments of an arbitrary king, to whom they were otherwise personally attached? No: their motive sprung from a purer source—it was the honest and firm

firm ambition of proving themselves vigilant, sentinels, and ready champions of the church of which they were dignitaries—an ambition which he hoped would long pervade the minds and influence the conduct of those who were placed in situations of similar trial. Interested motives might, with much more truth, be ascribed to some noble lords who avowed their support of this measure, from an apprehension of temporal consequences in the event of its rejection. A great deal had been said of the injustice and cruelty of debarring four or five millions of their fellow-subjects of indefeasible and inalienable rights. It was necessary to argue this claim of abstract right at the outset. In that view he was at a loss to see how the numbers affected could be brought to form a part of the consideration; for whether the number was small or great, the question of right was the same. He wished noble lords had better explained the meaning of the words “debarred from indefeasible rights:” the term “natural” rights had also been used, and by others it had been more appropriately qualified to the term “civil” rights. What was the meaning, he again asked, of this claim of abstract right? Did any noble lord seriously mean to contend, that individuals possessed any rights which they were not liable, under peculiar circumstances, to be called upon to forego for the public good? Were not many excluded by the law from the exercise of what might be called direct rights? Individuals were constantly excluded from certain civil offices, without the possession of particular and prescribed qualifications,

How, then, could they call the exclusion of the catholics an anomalous principle of law? In the former cases to which he alluded, the qualification was certain—in the case of catholics, it was uncertain; but their principles were, as he had already said, fixed, and he believed irrevocable. In both cases, however, the civil right was concluded and foreclosed, because the public service required it. Did not the very bill before their lordships recognize the principle of exclusion? What could be a more sacred right, than to possess a voice at the election of a representative? Was not that right violated by this bill? It was useless to argue this abstract claim farther, when those who had contended for its application themselves practically admitted that civil rights were limited by expediency, and were susceptible of restriction on grounds of public policy. The catholics themselves recognized this principle of exclusion in all their applications to parliament, for their bills uniformly admitted the propriety of excepting the office of lord high chancellor in the proposed eligibility. Why was that office to be exempted from the ambition of catholics? The Rev. Mr. Collins, a Roman-catholic priest, had declared that persons of his persuasion did not aspire to such an office, and gave as a reason that the general feeling of the protestant community was against the extension of so high a privilege, and therefore they did not press for it. But while some admitted the justice of a principle of exclusion, they denied that any opinion, as such merely, ought to disqualify the individual from eligibility to office:

office: they said a man was no more answerable for his opinions, than he was for the colour of his hair, or the weight of his strength. To this general assertion he could only reply, that there were peculiar and personal defects in the human mind for which it was the misfortune of the individual to suffer, although for them he was not morally responsible, and that the person must patiently endure the inconvenience for the sake of the community of which he was only part. So much upon the argument of general right. Then came the real question—whether the opinions of the catholics were such as to disqualify them from certain civil rights, more especially those of a legislative description. This was followed by another question—whether the danger of the present crisis was so imminent and unquestionable as to call for the violation of an established constitutional principle, for the sake of avoiding it. Connected with these considerations was another—whether the proposed remedy was calculated to produce the supposed advantage. With respect to the last consideration, all he should say was this, that if there was one point more clear than another in the history of Ireland, it was this—that up to the most recent date, the disturbed condition of that country was by the best judges declared to have little connexion with the catholic question. The wretched peasant was oppressed by a more malignant and exasperating, though not an incurable disease. One of the most distinguished witnesses that had been examined before the committee, had proved that the most exciting and proximate cause of disturb-

ances in Ireland, had arisen from the extreme misery of the peasant; and that the more remote cause was, the radically vicious state of society—a state of society, which, if he could venture to give the opinion of one so young in politics as himself, was fraught with deep evils, which required the remedial application of a different measure from that now proposed for their consideration. The property in the soil belonged to a great extent to proprietors who were absent, and intrusted the management of their estates often to unscrupulous agents. The education of the people was imperfect, and immoral habits arose from neglect and ill-treatment. A system of exaction was engrafted upon the mode of tenancy; one claim for rent was accumulated upon another, until an amount was, through the one hand and the other, squeezed from the soil more than the soil could fairly yield,—a state of society of which, from its very nature, the tenant must be the wretched victim,—a state of society where there was an obstinate adherence to absurd and antiquated customs, in defiance of the wholesome and regular law of the land. Such a state of society could be improved by no such remedy as was provided by the present bill; it would require measures of a stronger and more efficacious character; it would require the introduction of a better religion, a purer administration of justice, a revision of the revenue laws, a general system of education; and last, though not least, a return of the proprietary of the country to the estates which they possessed within it. A relief from wreckless poverty, from barbarous superstition, and from inveterate

veterate insubordination, was the emancipation of which Ireland stood in need; and when that comprehensive remedy was administered to the evils of that country, and when the good effects of it had become apparent in the tranquillity and improvement of its inhabitants, then, and not till then, would a period arrive when they might safely grant the concessions which were now demanded. The rev. prelate then proceeded to declare, that it was not till the year 1823 that the great mass of the catholics of Ireland began to talk of catholic emancipation; and the meaning attached to the words by some of them was, a restoration of that property to their church of which it had been deprived by the reformation; and by others, a recovery of the lands which had been forfeited at different periods of their history. Whichever of these two opinions the mass of the Irish catholics entertained, they would be greatly disappointed at finding that this bill, if carried, would bestow upon them neither of the boons which they expected. He would not presume to say what effect that disappointment might produce upon them; but be it what it might, it would owe its origin to that knot of political agitators—and he used the word agitators advisedly, since one of them had thanked his God that he was an agitator—who had cast that leaven into the lump, which had disposed it to ferment, in order that whilst it was heaving and swelling, they might knead it at will to their own advantage. He contended, that until the Catholic Association commenced its operations, the catholics of Ireland cared little about catholic emancipation.

1825.

Nor was that apathy on their part at all surprising, since what concerned the advantages and privileges of a few, could not, without some adventitious aid, strongly interest the feelings of the many. That the desire of catholic emancipation was not the leading cause of the disturbances which had so long distracted Ireland, appeared from this circumstance—that those disturbances had not diminished according to the relaxation of the penal code. Indeed, the people of Ireland scarcely knew of that relaxation; and he therefore argued that the relaxation of it, which still remained to be made, could have no effect upon their future conduct. It was lamentable to observe that those who, as well from their profession as from their situation in life, exercised an influence, if not a control, over the Roman-catholic population, had not communicated to them so important a fact. What was the cause of their not making such a communication, he would not pretend to say; he would only observe, that it was in perfect keeping with the character of those, who, having distant objects in view, thought nothing of their triumph over the obstacles which led to them. It was the policy of men who considered the admission of lay members of their church into the legislature as valuable, because it facilitated the recovery of the power which it had lost, and who deemed any thing short of that admission as utterly worthless and contemptible.

"Actum," inquit, "nilhil est ni Panno milite portas, Frangimus, et media vexillum pono Suburra."

It was in strict accordance with the spirit

spirit of the Roman-catholic religion, as it was described in the celebrated remonstrance against popery, presented by the house of commons to James the First:—"It hath," said they, "a restless spirit, and will strive by these gradations; if it once get but a connivance, it will press for a toleration; if that should be obtained, they must have an equality; from thence they will aspire to superiority, and will never rest till they get a subversion of the true religion." He believed that the subversion of the protestant religion was the ultimate object of the Roman-catholic hierarchy, and that they would be satisfied with little short of it. The present bill, therefore, would not put an end to the distractions of the country, though he hoped, under the divine blessing, to live to see the time when measures would be devised which would render the lower orders of the people of Ireland industrious, contented, and happy; and by so doing, would wrest a formidable engine of destruction out of the hands of those who were now inclined to wield it to the detriment of the state. He maintained, that if the lower orders of the Irish catholics had any feeling at all upon the bill, it was one which went much further than the supporters of it supposed, and which the measure itself would by no means satisfy. Indeed, a witness of the name of Macarthy had admitted, that he was afraid that even if this bill were passed, the question of emancipation would still be made a handle of by political agitators. A handle indeed! Why, could their lordships think that they would not find a handle in the few remaining exclusions

to which they were subjected, in the inferiority of the catholic church, and in the want of that establishment for it which it had formerly possessed? In applying this bill as an anodyne to the convulsions under which Ireland was now suffering, their lordships were labouring under an error as to the *diagnosis* which preceded the disease, and were applying to it a remedy which would be better suited to some other complaint. He told their lordships that he was persuaded that the object of the catholic hierarchy was the subversion of the protestant church and the erection of their own upon its ruins; and he asked them whether they could blame him, being so persuaded, for opposing this measure, which, in his conscience, he believed would afford them every facility in accomplishing their object. They all of them were acquainted with the notions which had recently been promulgated with respect to church property;—they all of them recollected the readiness with which the Irish house of commons passed that abominable law called the agistment law. He thought, that daring as that attack had been upon the property of the protestant church of Ireland, it would be followed by still more daring attacks upon it, when 20 or 30 Roman-catholic members should be seated in the lower house, forming a compact body upon all questions relating to tithes—a body, too, moving in the train of that portentous comet, which from its "horrid hair shook pestilence and war." The reverend prelate, after insisting on the dangers to be apprehended from this measure in a political point of view, proceeded

to that part of the question on which he conceived himself to be more competent to give an opinion—namely, the dogmas of the Roman-catholic church. He called the attention of their lordships to the feelings of the catholics towards the protestant church. A very distinguished member of the Roman-catholic body had told the committee, that unless he conceived this measure would strengthen the protestant church, he would not give it his support. Now, if that individual's opinion were to be taken as a criterion of the sentiments of the great mass of the Roman-catholics, he would say, that nothing more fallacious could easily be imagined. He would therefore call the attention of the house to the evidence before the committee, because it was important that it should be viewed in its proper light. As far as facts were concerned, he allowed that it ought to have weight; but he trusted that their lordships were not going to form their opinions of the feelings of the Roman-catholic population to the protestant church from the testimony of a few able catholic advocates, guarded upon all points, and perfectly unauthorized to state the opinions of the great body to which they belonged. If their lordships wished to learn the opinion of the great mass of the catholics of Ireland, they must look to their public meetings, they must attend to their public orators, and to the topics which they selected, as going most directly to the hearts of their hearers; they must hear them denouncing the protestant church of Ireland as a splendid evil, as a gorgeous pest, and as an incubus on the prosperity of the country; they

must listen to the acclamations with which such language was received; and they must form their judgment from those circumstances; and not from the opinions of any individuals who had a direct interest in the evidence they gave. To show the inflammatory nature of the speeches made at the public meetings, he quoted a passage from a remarkable speech of Dr. Dromgoole, which was received with loud acclamations, and which had since been published in a book that had been carried to the papal throne, and had been declared to be so able and so catholic as to be worth a casket of cedar and gold. In that speech, Dr. Dromgoole, speaking of the protestant church, had said, "She shall fall, and nothing but the memory of the mischief she has created shall survive her. Her time is nearly run; and when the day of her dissolution, which is at hand, shall arrive, shall catholics be bound by the oath she has imposed—an oath which, in their consciences, they believe to be improper?" Again, in another passage, the learned doctor said, "The church of England is the eldest of those heretical sisters; I view with horror these sickly sprouts, and their degenerate branches; the time will come, when they shall be gathered up, and cast into the fire; and they shall burn:"—

"Tæda lucebit in illa
Qua stantes ardent, qui fixo gutture
fumant."

He believed that these sentiments were not confined to Dr. Dromgoole, but pervaded the whole body of the Roman-catholic clergy. He once had thought that the catholics had cast an eye upon

the tithes of the church ; but he was now of opinion that they did not so much wish to appropriate them to their own use, as to take them from that of the protestants; and that they sought to promote their own church, by depriving of pecuniary support that which was opposed to it. In that opinion he was strengthened not only by the evidence of Dr. Doyle, but also by the statement of a petition presented to the house of commons on the last day of May, 1824. In that petition certain catholics declared that they could not be satisfied without three things. The first of these was a repeal of the union; the second, the abolition of tithes; and the third, annulling of all corporations. He would not dwell longer upon that petition than was necessary to point out the proof which it gave of the spirit which animated the catholics, but would proceed to examine the statements of a writer, calling himself J. K. L., and said to be a Dr. Doyle, but who certainly could not be the Dr. Doyle examined before the committee. That writer said, "The Roman-catholics, as Roman-catholics, entertain no designs hostile to the protestant church; but as individuals engaged in agricultural pursuits, they are interested in taking away tithes from the establishment." This appeared to him to be much the same, as if a disappointed suitor in the court of chancery — as for instance, Mr. Gourlay — should go up to the noble lord on the woolsack, and should say, "May it please your lordship, I, as Mr. Gourlay, bear no ill-will to you as Earl of Eldon; but as a disappointed suitor in the court of chancery, I hit you,

as lord chancellor, a knock on the head." The same writer, J. K. L., declared that the protestant church must be detested — that the efforts of legislators to amend Ireland had been regularly marred in consequence of her exertions, and that all the murders which had stained the Irish annals, had been carried on under, or had been occasioned by, her edicts. Yet this was the same church which had produced a priesthood to whose zeal, activity, and forbearance, every witness who had been examined before the committee had borne concurrent testimony — a priesthood which, in the moral desolation of Ireland, remained the oasis of the desert, and gave to the eye some points on which it could rest with pleasure. He hoped that he felt no animosity towards the catholics as a body; he hoped that he was not inclined to press hard upon an individual who, like himself, was human and liable to error; he hoped that he was not prone to use harsh language to any member of the same sacred profession to which he himself belonged; but there were emergencies on which truth ought to be spoken out; and he therefore now asked their lordships what weight they ought to attach to the evidence of a man who, after casting this poisoned arrow, and hurling this sportive firebrand into the protestant church, thereby convicting himself at once of the bigotry of Rome, and of the ferocity of jacobinism, came down to the committee to soften with glosing words the calumnies he had uttered, and to "hint the fault, and to hesitate the dislike," which it was no longer expedient for him openly to avow. He now passed from

from Dr. Doyle by a very natural transition to the pope. He contended that the distinction between the pope's supremacy in things temporal and in things spiritual, existed only in theory. Every catholic allowed that the pope had an ecclesiastical supremacy; and that ecclesiastical supremacy involved in it certain temporal jurisdictions. Did not the pope nominate to all the ecclesiastical benefices in Ireland? and had he not, by such nomination, a well-disciplined army of 3000 ecclesiastics in that country, ready at any moment to work his bidding? — an army, whose generals he appointed, and who, if they were not the partisans, had at least been the nominees, of a pretender to the British throne? The reverend prelate then adverted to the power arrogated by the pope to depose kings, and showed that in 1643, Charles I., and in 1719, George I., had been deposed in Ireland by a bull from the pope; and that in our own days Louis XVIII. had been deposed in France by a bull from Pius VII. He acknowledged that these bulls were mere *bruta fulmina* — that they were mere empty displays of power; still, empty as they were, they had not been without their effect upon conscientious catholics. Dr. Doyle had admitted, in his evidence, that the pope, in a rescript to Vienna in 1809, had said that he still possessed the power to depose princes, though it was not at present convenient to exercise it. While such a doctrine was held by the members of the church of Rome, he would always contend that it disqualified the holder of it from a seat in a protestant legislature. He knew that Dr. Doyle had de-

clared, that though this doctrine was embodied in the decrees of several councils, it had now become obsolete and disused. He was afraid that it was only as obsolete and disused as the strength of a tiger whose claws were pared, but whose savage disposition remained utterly untameable; or as a sword, which rusted in the scabbard, because you would not give your enemy an opportunity to draw it and to plunge it into your own bosom. The doctrine, he repeated, was believed by conscientious catholics, and all other catholics were unworthy of legislative indulgence. He left it, therefore, to their lordships to consider whether they would admit within the pale of the constitution individuals whose opinions were so opposed to all its fundamental principles. He had a few words to say upon another offensive doctrine of the church of Rome; and that, not only because it had never been disavowed by the leaders of that church, but also because it was now publicly taught in the religious college of Maynooth. The doctrine to which he alluded related to the inviolability of oaths. He thought that no man, who reflected for a moment on the appeal to heaven which was made in taking an oath, could assent to the power of any human being to absolve him from it; and yet a contrary doctrine was preached in the college of Maynooth, and promulgated in a catechism published under its authority. It was there stated that a man could be absolved from an unjust oath. The catechism, after laying down that position, asked, "What is an unjust oath?" and the reply was, "An oath that is injurious to God, my

my neighbour, and myself." That was a doctrine very different from that of the book which said, "The just man, who sweareth to his neighbour, disappointeth him not, though it be to his own injury." He had now stated the principal reasons which induced him to withhold his consent from this measure. He did not conceive it to be a specific to the disease to which it was to be applied. Instead of being calculated to heal dissension and abate animosity, he thought it comprehended in itself abundant materials for civil commotion. It was, besides, an inroad upon the constitution we had received from our ancestors, and if passed into law, would, in his opinion, serve as a stepping-stone to the catholic to scale the walls of the protestant establishment. But whilst he was delivering opinions so adverse to the catholic claims, he felt himself bound to state that, as far as his acquaintance with catholics had gone, he had seen nothing in their conduct which led him to believe that they entertained any of the objectionable doctrines on which he had just been animadverting. He bore with the utmost willingness his testimony to the meekness, candour, and liberality of the catholic clergy with whom he was acquainted; and he would add, that in his own diocese there was a catholic gentleman, of large fortune, worthy, he said it in candour, to be a member of a better faith, who had supported a national school for many years near his own residence, entirely at his own expense. He admitted that if this bill were carried, it might be attended with none of the effects which he had ventured to

anticipate. Their lordships lived in times when it was not easy to predict the consequences of any given measure. Besides, he placed great reliance on that benign Providence, which had hitherto sheltered the protestant church from harm, and which, so long as it performed its duty to the country, he was sure, would not withdraw its support from it. They were, however, bound to act according to the dictates of human wisdom; and so acting, he could not see why they should pass this bill to guard against a contingent danger, or why they should sacrifice a single security to satisfy a necessity that was only problematic. These were some, but not all the reasons, which induced him to give, not a satisfactory, but still a conscientious vote, in opposition to the measure which was then before the house.

The *Earl of Limerick* supported the bill, and defended the catholic and protestant gentry of Ireland from the sweeping charges brought against them by the reverend prelate who had just sat down. The reverend prelate had attributed many of the evils which desolated Ireland to the absence of her gentry; why had he so carefully abstained from noticing that share of them which was produced by the absence of her clergy? There was a wide difference between absentee landholders and absentee clergymen. The former would be slaves, were they compelled always to reside on their estates; but the latter were bound to reside upon their livings, because they received payment from the state on condition of doing so. The reverend prelate, in the course of his speech, had

had used language which could not fail to irritate all classes of people in Ireland, and had all but advised the making of interminable war upon the catholic part of it. There was a reverend prelate near him, who had given him a noble example to imitate. That reverend personage, in a speech full of eloquence and wisdom and christian piety, had pointed out to him the duties of christian benevolence. Instead, however, of following his venerable brother, the reverend prelate had started off in the opposite direction, and had directed all the force of his talent against the claims of his catholic countrymen. He had said, that the catholic bishops of Ireland were nominated by the pope. This was not the case. Three persons were nominated by the Irish bishops, and the pope was obliged to select one of them. There was no catholic bishop in Ireland with a revenue of 3,000*l.* a year. Whence was such a revenue to be derived? Not from see lands, not from fines, but from the parish in which the bishop resided. And how was his revenue collected? From the poor under his care, in sixpences, and shillings, and half-crowns — paltry sums which the reverend prelate opposite would not like to have his income eked out in. The duty, too, of the Irish bishop was admirably performed — none of them were to be found in Cheltenham — none in London. They were present with their flocks, in health and in sickness, and were at all times ready to afford them every consolation in their power. After ridiculing the idea that such men were not to be believed upon their oaths,

the noble earl apologised to the house for the unpremeditated sentiments he had offered to its notice; but said that he should have held himself wanting in duty to his country as an Irishman, if he had allowed the assertions of the reverend prelate to go forth to the world without contradiction.

The *Marquis of Lansdown* began by observing, that on this momentous occasion he felt bound to state to their lordships his reasons for giving his earnest support to this most momentous question; but before he entered on the general merits of it, he would say a few words upon the arguments urged on the other side by the right reverend prelate opposite (the Bishop of Chester.) The right reverend prelate had laid it down, that the enjoyment of every civil right should be regulated by expediency; and here he must observe, that if the right reverend prelate rested his objections on the ground of expediency, he was, in all the other arguments which he had used, combating with a shadow; for if the ground of political expediency existed, the discussion on the theological grounds was not necessary; but if, as he (Lord Lansdown) had often contended, and was again prepared to contend that night, the expediency for excluding six millions of people from their civil rights had long ago ceased to exist, it must follow that they ought to be admitted to the enjoyment of those rights which were theirs in common with all other British subjects. He would contend, that the expediency of exclusion, if it were even well-founded, had long since ceased, and

and that a regard for the security of property, for the peace of the country, and for the stability of the church itself, dictated the propriety of putting an end to the system of exclusion, which had proved one of the greatest evils that Ireland ever experienced. The right reverend prelate had said, that in the course of his recent studies, he had found reason to change his opinions on this question, in consequence of evils existing, connected with the state of Ireland; but he had not informed their lordships how many of those evils had arisen out of the nature of the catholic disabilities, nor how the great statistical remedy (a word which the right reverend prelate seemed to have borrowed from Sir John Sinclair) should be applied, without removing those disabilities—he had not stated how they were to acquire in Ireland a catholic gentry and yeomanry without a system by which the one and the other might be protected and conciliated. The right reverend prelate, in enumerating the causes which produced the disturbed state of Ireland, had overlooked one circumstance which he might have remembered—that in that country there was the singular anomaly of a church establishment which was not of the religion of the great body of the people. How would he apply any remedy which would secure the stability of that church, without embracing a measure that would have the effect of conciliating the great body of the people? He (Lord Lansdown) would say, that if they wished to preserve the church establishment in that country, which he earnestly desired,

if they wished to ensure stability to the government of that country, their measures must be bottomed on the affections of the great mass of the people. The right reverend prelate, while he deprecated any attacks on the motives of individuals, had indulged himself in a very great latitude that way, and had made a serious charge on the great body of the Irish catholics. He charged them with a desire to overturn the church establishment, and to regain possession of the forfeited estates. But on what authority did he make that charge? On the authority of a protestant, and that too in opposition to every tittle of evidence which had been given on the subject by catholic bishops and priests, as well as every member of the catholic laity who was examined before their lordships' committee. Surely the right rev. prelate could not have read the evidence; for if he had, he would have found that every catholic who was examined had most fully and distinctly disclaimed any such intention; and in this they were supported by every protestant of intelligence who had stated his opinions before the committee. Protestants and catholics concurred in stating that the forfeited estates were considered as secure property as any in the country, and indeed in one respect they were considered more valuable, inasmuch as the title to them could more readily be made out. If any facts were necessary in support of the solemn declaration on oath of the catholics on this subject, it would be found in their own practice; for it was a fact that those catholics whose wealth had

had enabled them to purchase property, had, to a great extent, become the purchasers of those very forfeited estates. After this, would it be said that they were not disposed to respect the titles to such property? Would it be supposed that they were anxious to invalidate the rights of those from whom they derived their own by purchase? Yet it was on such grounds that the right rev. prelate had rested his tender apprehensions for the security of those protestants who now held forfeited estates. He hoped the right rev. prelate's better recollection, or more attentive observation, might teach him a little more as to the real state of Ireland, with respect to the security of church and other property in Ireland. It was true, that one of the grounds on which he (Lord Lansdown) supported the present bill, was, the insecurity to which property would be exposed in Ireland from its refusal; but that insecurity rested on very different grounds from those which the right rev. prelate had taken. The insecurity which he dreaded was that which must ever exist where discontent prevailed among the great body of the people. The right rev. prelate, in his remarks on the conduct of certain individuals in Ireland, had spoken of the Catholic Association, and observed, that no feeling of discontent prevailed in the country until that association was formed. Did he for a moment take into consideration the causes which produced that association? Why were none such formed in this country? Because no ground for similar discontent existed, because no feeling of such injustice to the great body

of the people prevailed—a feeling which, while it was suffered to remain, would be daily breaking out into new phantasmas, that it would be impossible ever to get rid of, until the great question which produced them was set at rest. The right rev. prelate had quoted many violent opinions with respect to the church of England, which he commented upon, and condemned as the opinions of the great body of the catholics. Many of those opinions could be traced, as the right rev. prelate himself admitted, to a speech delivered by a Dr. Dromgoole some ten or fifteen, or perhaps twenty years ago, for he really did not recollect. Upon these the right rev. prelate had fastened, and taking them as articles of the Roman-catholic faith, had urged them as arguments against the bill before the house. Was this, he would ask, fair? Was it treating the catholics with common justice, to fasten upon them doctrines which they disavowed, merely because they happened to be used by one of their body? Their lordships had heard of the writings of a rev. baronet—he meant the Rev. Sir Harcourt Lees—would the right rev. prelate approve of the language contained in those writings? Would he subscribe to all the opinions they embraced? Would he even approve of the principles contained in some of the petitions presented on this subject? Would he be disposed to sanction all those principles as doctrines taught by the church of England? Undoubtedly he would not. Why, then, in fairness should he use a mode of reasoning towards others which he would think it unjust to have applied to himself? Was it

not

not most unjust to condemn men by attributing to them opinions and doctrines which they wholly disavowed? He had heard from the right rev. prelate that he was disposed to argue this on the ground of expediency. If he took that ground, it would be getting rid of more than half the objections which had been urged against it, in and out of the house. If the question was allowed to rest on expediency, then there was an end of the objection respecting transubstantiation, and the several other doctrinal points which were urged—there was an end to the objection resting on the belief of the spiritual supremacy of the pope, beyond this—how far that belief was calculated to operate on six millions of people so as justly to disqualify them from the enjoyment of their civil rights as British subjects. Leaving those points out of the question, he would readily consent to view this measure as one of expediency, and taking advantage of an admission made by a right rev. prelate, that the spirit of protestantism was never more prevalent in the country, since the reformation, than it was at present, he would ask, if that were true, what need had it of the crutches of the penal code to support it? He would rather look at this question as a protestant than as a catholic question. He would consider it rather as it affected the security of the church establishment, the security of property in Ireland, and the general safety of that country. Upon these grounds he might confidently rest it, without reference to the justice of the claim on the part of the catholics (though in that alone a strong claim might

be made)—a claim strengthened by the recollection of their fidelity to the state in times of danger; but waving those, he would ask the opponents of this bill, what had the protestant church to apprehend, if it were passed; or what had it to gain by its refusal? He had expected, that when the right reverend prelate spoke of his recent studies on this subject, he would have stated to their lordships facts connected with the present condition of the catholics of Ireland, with their present opinions and conduct. Instead of this, however, he had stated that bulls had been sent over by one of the popes to depose George I. True, the right rev. prelate admitted that these bulls had had no effect—they formed no part of the history of the country; yet he added, they affected the minds of the catholics, though they did not arm their hands. Now he was prepared to contend that those very bulls, and the reception they met with in this country, were the strongest proof of the truth of what Dr. Doyle had given in evidence—that there was a line drawn by catholics between the ecclesiastical and temporal power of the pope—a line which a noble baron (Lord Colchester) could not see—a line beyond which if the pope attempted any act of temporal power in this country, the obedience of the Roman-catholic ceased. The noble marquis, after again adverting to the unfairness of selecting tenets which the catholics disavowed, and putting forced constructions on others which they admitted, observed, that when their allegations of their own doctrines and opinions were not allowed, it was right to put in
their

their conduct in this country, where their rights were limited, and in others where they were not restricted, in order to show, that their allegations were borne out by their practice. He would not suppose that the catholic religion was so dark and hidden, so lost in the obscurity of past ages, as to be traced out only by the research of the diligent antiquarian. It was, he should imagine, well known, its present tenets of doctrine and discipline were well defined and understood: why, then, was it necessary to go for objections to the catholic religion as it now existed, back to the tenets which might have been in operation centuries ago? Suppose some public lecturer, on electricity or astronomy, were to say to his hearers—"You must not attend to the state of the atmosphere, or the appearance of the heavens, but you must look to the principles adopted by the ancient founders of those lectures—go to the *Philosophical Transactions*, vol. 1, and there you will find what you must take to be the true present state of the science." Would not such doctrine be most deservedly held up to contempt—would it not argue in the lecturer an utter ignorance of the present improved state of science? He (Lord Lansdown) contended, that it would be equally unjust to argue the question before their lordships without reference to the actual state and opinions of the catholics as they existed at the present day. The principle on which a true statesman should act, would be, in all measures of importance, to adapt himself to the altered condition of society. True philosophy, as Bacon said, was the art of inter-

preting nature. The business of a wise legislator should be, to direct his measures so as to adapt them to the condition of men as they then existed, and not to that in which they might have been at a former period. Let their lordships look at what was the conduct of catholics in the different states of Europe and in America, and see whether it bore out the allegation that they were hostile to a free constitution, or were found disloyal subjects when in the service of protestant princes. The noble marquis then proceeded to contend, at considerable length, that the catholics were found faithful subjects to protestant princes; that this had been proved in every protestant state in Europe; that their attachment to a free constitution was proved by the conduct of the catholics in America, and their disposition to admit religious liberty—by the readiness with which the state of Maryland, originally composed principally of catholics, admitted the most tolerant regulations with respect to religious worship; and concluded this part of his remarks by an appeal to the learned lord on the woolsack; in which he asked, whether, in the course of his official experience, he had ever known of any catholic minister or general who had betrayed the secrets of a protestant prince, or swerved in any manner from his allegiance or duty in consequence of his obedience to the pope. The noble marquis went on to point out the manifest impolicy of paralyzing the energies of a large portion of the subjects of the empire, by political disabilities on the score of religion, and to show that those who wished to unite the ex-

ertions

ertions of every class in support of the general welfare of the state, were the true friends of that church establishment, which he admitted was so closely allied to it. He was, he added, fully aware of the sensitive fears of those who apprehended that the protestant church would be endangered if catholics were allowed a seat in the legislative bodies where subjects connected with the welfare of that church might be decided. The conscientious opinions from which such feelings and alarms arose, he duly respected; but he was convinced that the apprehensions were unfounded. He was the less inclined to be influenced by such alarms, when he considered what had already occurred with respect to cases in which similar fears were expressed. It was matter of history that when the union of Scotland with England was proposed, that part of the plan which was to introduce sixteen representative peers of that country to seats in the English house of lords was warmly opposed by some right reverend prelates of that day. They imagined that if sixteen presbyterian lords were allowed to sit and vote on all subjects in that house, it might be attended with consequences the most dangerous to the church of England. One right reverend prelate in particular, in the warmth of his zeal for the security of the protestant establishment, went so far as to predict that the most imminent danger to the church would be the necessary consequence. He compared the introduction of sixteen presbyterians into the upper house to the mixture of so many foreign ingredients in the cauldron, which

would have the certain effect of making it boil over till it burst. Notwithstanding those grave predictions, the measure was carried into effect; the sixteen presbyterian lords were admitted into parliament, and what happened—not that the cauldron had boiled over till it burst, but that no danger whatever had accrued to the church; and on looking at the divisions which since then had taken place, it would be found, by a very curious coincidence, that these sixteen presbyterians were generally found voting on the same side with the bishops who had been so much alarmed at their approach. The noble lord proceeded to contend, that prophecies generally, of the description to which he alluded, had been unfortunate. Dean Swift, at the time of the repeal of the sacramental test in Ireland, had foretold that the whole religion of the country would become presbyterian. Again, in the early part of the late reign, when a bill was brought in to admit the catholics of Canada to civil rights, it had been prophesied that, through the machinations of the pope in that country, we should lose the whole of the United States. We had lost the United States; but Canada, instead of having led the way in their declaration of independence, was the only colony which had remained faithful to us. Noble lords might be sure, and right reverend lords, that it was a dangerous state of affairs for a country to have a large proportion of its population excluded from civil rights. It was a state of things which could not continue; men fancied sometimes that they stood still, while the ground, in fact,

was

was crumbling from beneath their feet. The noble lord concluded by quoting the following opinion, which had been given by Lord Somers, Lord Peterborough, the Bishop of Salisbury, and the late Duke of Devonshire, upon the subject before the house. The words of those noble persons were—"An Englishman cannot be reduced to a more unhappy condition, than to be placed by law under incapacity to serve his king and country; and therefore nothing but a crime of the most detestable nature ought to place him under such a restraint." His lordship then sat down with a declaration, that he supported the bill before the house upon its own merits. He did not imagine that it would of itself form a panacea for all the evils of Ireland, but he thought that it would lead to those further measures, towards which alone she could look for improvement or lasting tranquillity.

The Earl of Liverpool was ready, for himself, at once to meet the question as a question of expediency—to look fairly at the advantages which were expected from it, and at the evils to which it might give rise. But he could not do this without first making a few observations upon the situation in which the house stood with respect to the question—a situation which, in his judgment, was equally novel and inconvenient. In consequence of events in Ireland which had transpired prior to the assembling of parliament, the house had found it necessary to pass an act putting down the body called the Catholic Association, and also to institute an inquiry by both branches of the legislature into the state of

the sister kingdom generally. Now, even had he been favourable to the concession of the catholic claims, he should certainly, under such circumstances, have thought it right to await the result of that inquiry so instituted, and at all events legislate only upon a full investigation of the subjects. No such course, however, it seemed, was to be adopted by the promoters of the present measure. The bill was brought in without one moment waiting for intelligence: nor was it the mere bill before the house only that was to be brought forward; but two others were devised, got up with equal haste and want of consideration; some of the provisions of which might go perhaps to alleviate the evils belonging to the main measure, but others which seemed no less likely to increase it. Why, then, it was not one measure of change that was proposed, but three; and where were they—on what was each to depend—and what was their connexion? This course might answer the purpose of some advocates of the catholics; it might serve, as it was meant to do, to catch a few stray votes on the right or the left; but in what sort of situation was the house of lords, he asked, placed by such proceeding? He (*Lord Liverpool*) desired to know what it was expected the house of lords should do. The house of commons put them in this condition—it sent them up a bill which they knew not how to act by; having purchased a majority for that bill below, by the introduction of other measures. He did protest again, that he had never known any body placed in so disgraceful a situation as the lords

lords were by this conduct of the other house. Surely, at least, they ought to know what it was they had to decide upon—whether it was the measure submitted to them alone, or that measure as joined and connected with two others? For himself, as far as his opinion went, perhaps this question, however, was one of slight consideration; for he detested, from the very bottom of his heart, the bill already in the house. A great part of it he took to be nonsense; some of it was even rather worse. The least objectionable part of the bill, as he thought, was the concessions which it proposed making to the catholics; for, upon that subject, he would be content to put one short question to the house, would they relieve the catholic from the disabilities under which he laboured, or would they not?—and if they replied in the affirmative, then he would engage to draw a bill for the purpose in half an hour, which should not be liable to a tenth part of the objections which applied to that now upon the table. In short, the simple question as to the great measure seemed to him to be—would the house, or would it not, remove the catholic disabilities? And that question—perhaps one of the most important that parliament had ever undertaken to decide—could not too soon be treated in such a manner as to place it on a firm and solid basis. The noble lords opposite maintained, that it was fitting to grant the concessions demanded; because the catholics of this country and Ireland ought, and were entitled, to enjoy equal civil rights and immunities at all points with their protestant brethren. Now this was the plain

proposition of the advocates for emancipation; and he (Lord Liverpool) would deal plainly with it—he met it with a decided negative. He said, that the catholics were not entitled to equal rights in a protestant country, and that opinion he would sustain. Upon some points he had been favourable to the catholics; he did not know but there were others upon which he might still be so; but upon that broad principle—that they were entitled to equal rights—he and their friends were at direct issue. He admitted—no man could dream of denying it—that all subjects in a free state were entitled to the enjoyment of equal rights, upon equal conditions; but then the qualification of that principle in the case of the catholics was clear—the catholics, who demanded these equal rights, did not afford equal conditions. The difference was this—it was stated in a moment—the protestant gave an entire allegiance to his sovereign; the catholic a divided one. The service of the first was complete; that of the last only qualified; and unless it could be proved that a half was equal to the whole, he should not be convinced of the truth of the catholic proposition. Thus, therefore, he took his stand upon the broad principle of justice: he was content to argue the question at present as one of expediency; but he still maintained that his opposition to the spirit of it was founded in principles of justice and of common sense. It was said by the noble lords on the other side, that the practical effect and conduct of catholicism should be looked at; and that the actual result and operation of that faith

faith was very different from what its tenets, some of them, in theory, seemed to point to. Practically it was, that he wished to examine the question, and in no other way. He desired to say nothing about theological dogmas—to seek back for no faded or obsolete opinion: the doctrines upon which he would rely should be those, and those only, laid down and contended for in the evidence before the house. And first, then, upon this head, to notice the condition of the power of the holy see, and the nature of the relation which that power had to the Roman-catholic church of Ireland. A noble earl denied that the appointment of the Roman-catholic bishops of Ireland was in the discretion of the pope. Why it appeared—it was admitted unequivocally—upon the evidence both of Dr. Doyle and Dr. Murray, that there was no other means or power of appointment. It was true that the pope had been in the habit of attending, in his appointment, to the nomination or recommendation of the church of Ireland; but this was matter of mere courtesy or hazard; the power was distinctly in himself; and if he thought fit to appoint a foreigner—nay, the foreigner of all Europe most obnoxious to the government or the country—that foreigner would be, and must continue, a catholic bishop of Ireland. This fact had notoriously come out beyond dispute, during the lives of several of the later princes of the Stuart family. The pope had been in the habit of appointing Irish Roman-catholic bishops at their nomination. He might now appoint, in the same way, upon the nomination of France or

Spain; and the individual so constituted would proceed to exercise influence, and most extensive temporal influence, within the British territories. The question was not now, let the house recollect, as to the danger, or the degree of danger, which might attend the concession of these claims; the question was, whether it was fit that equal rights should be enjoyed by catholics and protestants? Immediate danger he apprehended none; but it was not always in the brightest or the calmest weather that the storm was farthest distant. When could the established church appear more secure than it had seemed at the restoration of Charles II.? and within twenty years it was seen threatened with total destruction by the machinations of a popish prince. Seeing where the appointment of the heads of the Roman-catholic church lay in Ireland, it was impossible not to advert to the power—the temporal—the practical power, exercised throughout that country by the priesthood. The system of confession—the right of demanding it, for the act was not left to the will of the individual confessing—that device rendered the clergy masters of all the secrets of the community. The extent to which some of the doctrines connected with this arrangement were carried, he (Lord Liverpool) had absolutely entertained no idea of until after the appointment of the late committee. He had believed always that the priest, receiving confession, was bound to secrecy even as to crimes committed which might be disclosed to him; but he had never suspected that which was actually the case—that the priest

priest was equally bound to secrecy as to crimes intended to be committed. Thus a catholic clergyman discovering, in confession, that there was a conspiracy on foot to blow up both houses of parliament, would not be justified in making known the fact. To take a simpler instance, if a man came to a place at which there were two roads, and a priest knew that if he took the right hand he would be murdered, and that by the left he might be saved—knowing this, he would be guilty of a dereliction of duty if he gave that man even a hint which might preserve his life. Differences such as these in tenet and in feeling must of necessity prevent the catholic and the protestant from amalgamating. With respect to education, there was scarcely any possible mode by which catholics and protestants could unite in one and the same system. We had not any of this difficulty with other dissenters; for, whatever were their shades of difference from us, both had the same foundation to build upon: with the catholics it was otherwise, and of the natural result it was impossible to get rid. In the same way, upon another point—the marriages between protestants and catholics—it was allowed by Dr. Murray that marriages between catholic and protestant were altogether discouraged; and that they were not permitted at all, except upon an undertaking that the children should be all brought up in the catholic faith. Then, if there could neither be intermarriage, education in common, or any other description of domestic bond between the protestants and the catholics, how was it possible that really kind

feelings between the followers of the two persuasions could exist? The fault was not the fault of the established church; it was in the bigotry and intolerant spirit (and yet our intolerance was complained of) of the Roman-catholic religion. He repeated, that it was his wish to look at the question not theologically, but as a question of convenience; but a part of that very question of convenience must depend upon the degree of influence exercised by the catholic priesthood, and on the species of influence which the tenets of the catholic faith put into their hands. The sentence of excommunication amounted to this—to give a crust of bread, or a cup of cold water, to the proscribed party, though he were perishing for want, were a punishable crime. Many, no doubt, there were, among the catholic priesthood, most virtuous and deserving men; but among so large a body there could not fail to be some of a very different character; and yet these men generally—it was stated in the evidence before the house—had more authority over the peasantry than their landlords. Now what were the evils which they had to apprehend? He might in fairness require the supporters of this measure to prove, before allowing this alteration, that there would be no evil. He would not ask so much from them: he only required them to show him the benefit of conceding. If all the evils which he had pointed out were really to be expected, then the advantages promised by the noble lord were out of the question. He held—their lordships held—all the bills held—that a protestant succession was the foundation of our constitutional system.

system. He would say, that if these measures should pass, the protestant succession would not be worth a farthing. Much had been said of rights—indefeasible and natural rights. The state was protestant essentially, the crown was to be protestant, and the successors to the throne must take to the same faith. But were they to be the only persons so limited? He would speak of a king's rights here in the same sense, and no other, as that in which he would argue for the rights of a peasant. Was it not hard upon the king and the heir to the throne that they must be bound to the protestant faith, while the chief justice, the ministers and secretaries of state, might be Roman-catholics? Why was this? Where was the danger in having a popish king or a popish chancellor, if all the other executive offices might acknowledge the pope? He thought there was less danger in a popish chancellor, who might be removed at pleasure, than in a popish chief justice, who would hold the administration of the criminal law in his control, and could only be removed by a peculiar process of law in case of his dereliction. His lordship went on arguing that the bill would compromise the security of the protestant establishment. There might be no immediate danger; but the period must come when the danger could not be evaded; it would certainly be brought about in the ever-varying fluctuations of the times. He looked with apprehension to the danger to the church establishment. He might be told to quiet his fears by looking to the evidence. He might believe in the sincerity of those who gave that

evidence—who disowned any intention of laying hold of the property of the established church. He would give them that admission for the sake of putting another question to them. "But you would diminish that property if you could?" "Oh, most undoubtedly I would; but I would do that as an Irishman, not as a Roman-catholic." Was any man so blind as not to see—was any so deaf as not to hear and understand, to what this amounted? "We take the property from the church!—no—we would give the country a part of that property if we could; well knowing that if the church loses her property, she must also lose in consequence, and thereby we must be gainers." They would diminish the property of the church to reduce her power and destroy her influence. They must have this feeling—it was their duty, their religion, their oath, their every thing, to destroy the protestant church. Circumstances might or might not aid them: but they must do it with that view, whether by diminishing the property or the influence of the establishment. The bill was to bind "all his Majesty's peaceful and faithful subjects, so as they may grow into one nation, to the utter oblivion of all former dissensions and discord." Would it have this effect? or did it not rather leave both parties just where they were, with the exception of granting new powers to the Roman-catholics? Would there not be fresh occasion of discord—new opportunities and many additional points to contend for? It was assumed that the evils of Ireland were owing to the catholic disabilities.

The disturbed state of Ireland had nothing to do with it: this was proved by the evidence. In the province of Ulster, which was the seat of religious dissension, the Insurrection Act had not been in force for 25 years, while in many places it had been in force where religious dissension had long ceased to exist. He admitted the evils of absenteeism in the general account, but they had nothing to do with the disabilities. It had been asserted as a matter of some danger, that the catholics, as compared with the protestants, were as 5 to 1. He believed that in reality their numbers were not quite 3 to 1; and the returns proved that they were as nearly as possible in the same ratio to each other as in the time of Sir Wm. Petty, with a corresponding increase in both. It was argued as if the catholics were deprived of all civil rights and privileges; whereas they enjoyed more rights and privileges than the subjects of any other christian prince. It had been said that the bill would be a great boon to them. How that could be was not quite so clear, when it went to give places to about 40 individuals, on the condition of disfranchising 500,000 electors. This was a protestant constitution—not like that of the United States, where you might pay any priest you like best, or no priest at all. Such was not the constitution, that he wished for Great Britain. He wanted that constitution which was compacted from the union of church and state. His lordship then adverted to the resolution of the commons of the 29th of April, for allowing a provision to the Roman-catholic clergy, which he vigorously op-

posed. The Roman-catholic church of Ireland was not like a missionary church: it was an accredited church, connected with the pope—having a numerous and consequential hierarchy, exercising palatine jurisdiction. If they looked into the catholic almanack, they would find the names of the titular archbishops and bishops inserted in more imposing characters than any others. He entreated their lordships to consider that Great Britain had now enjoyed 130 years of religious peace, which were preceded by 160 years of religious convulsion. The policy of the present day was opening advantages to society which had been withheld by the restrictions of former laws. To this policy the Roman-catholic religion was directly opposed. They had the advantages of experience, and they were bound in reason, policy, and justice, to persevere in their course.

The Earl of Limerick explained.

The Earl of Harrowby rose with great pain to express the reasons of his continuing to differ on this question from his noble friend and colleague who had just sat down. He would admit that many evils had arisen from deluded persons of the Roman-catholic faith, dividing their allegiance, and acting against the power to which they professed temporal submission. But would that be prevented by continuing their disabilities? The answer was contained in the fact that it had not prevented it. Then would they punish those people for an error in logic only? He admitted that the allegiance which was paid to the altar and the throne of the country was the more perfect: but could they obtain a more perfect

perfect allegiance by the exclusion? And ought they not to consider the allegiance offered as a sufficient allegiance for all the ordinary purposes of civil obedience? A distinction had been drawn between the allegiance which Roman-catholics were inclined to hold, with respect to Roman-catholic governments, and that which they entertained with respect to governments where the religion was different. But this distinction had been contradicted, in direct terms, by the catholic church: It had been clearly stated, that the members of that church were bound by the obligation of an oath, no matter under what government it was taken. If this were so—if it were allowed that the obligation of an oath was sacred with them—why not give them the full benefit of that admission? But if, on the other hand, that proposition was opposed, why did they ever give the Roman-catholics any extension of privilege? Was it not wasting all their time to do so? With respect to this particular point, were there not, he asked, questions put 13 years ago to all the great universities of Europe? And what feeling was manifested on that occasion? Nothing but an indignant feeling of surprise that such questions should be pressed at such a time of day. And had they not, on oath, the disclaimer made by some of the leading members of the Roman-catholic church, of those charges which had been so long levelled at that church? But then it was said, that in former times, a very different statement was made, and that statement had been generally believed. Which, then, were they to place the most reliance on—that of which

they had practical proof, in the present day—or the opinions which had been given long since, under circumstances in no wise favourable to the production of truth? He thought that they were bound to rely on the evidence of the present day, which they had had an opportunity of examining and sifting. His noble friend (Lord Liverpool) had alluded to the rite of confession, as one of the strongest proofs that the Roman-catholic could not, speaking in the strictest sense, be a safe or a good subject under a protestant government. He (Lord Harrowby) admitted that, under the practice of the Roman-catholic church, a priest might be informed of an intention to commit murder, and yet feel himself debarred from giving to the individual threatened the necessary warning. This, he allowed, was monstrous. But the question was, in what way this monstrous doctrine of the church of Rome prevented catholics from being good subjects of a protestant king. If a priest heard from one of his flock, that he was engaged in a plan to overturn the government, and that he concealed his knowledge of the fact, it would be something like misprision of treason. But he begged leave to ask, would the government, in that case, be in any greater danger, than if no such ceremony as that of confession existed? Certainly not. Therefore, he must say, that there really was nothing in this argument. All the doctrines which had been alluded to by his noble friend, as objectionable in the catholic church, had been long known; and if they were of such a nature as warranted the legislature in excluding them from far

ther privileges, why, he wished to know, had they not operated to prevent them from attaining those immunities which they now enjoyed? Again, he would ask, who were those who adhered most strictly to the superstitions which had been so much condemned? Certainly, the lowest class of the Roman-catholics. Who next? Why the class immediately above them. The class above them attended still less to those objectionable tenets; and that class was the most free from them who moved in the highest rank of all. Were they, then, proceeding safely, wisely, or rationally, in granting immunities to those classes who were most subject to the influence which had been complained of, while they withheld important rights from that part of the Roman-catholic body which was most likely to resist it? They appeared to have begun at the wrong end; for surely it was better to let enlightened men enter parliament, than to give extensive civil power to men who might easily be biassed by their clergy to use it for a particular purpose. It was a most extraordinary anomaly, that while the legislature refused to give the Roman-catholics political rights, they agreed to a law which admitted them to hold a high rank in the army and navy. If any danger were to be apprehended, assuredly it was from the exercise of such a power as this. His noble friend had expatiated on the influence which the pope would use, in the nomination of the Roman-catholic clergy: but did not the pope exercise that influence at the moment? This was an evil, which, by an injudicious course, they might increase, but

which they could not diminish by the continuance of disabilities; because they could not prevent the Roman-catholic from adhering to the doctrines of his church, and cherishing those feelings which he had been taught from his youth to prize. How, then, would he advise the legislature to act? He would say, "Here are strong links which bind men to a particular object: to draw them from it, we must make use of strong means—and those means are kindness and conciliation." He would hold out to the Roman-catholics a participation in those benefits which bound man to man in society. What they had already done, had not operated as a *panacea* for the evils of Ireland, and what they might now do would not have that effect; but it ought not on that account to be thrown aside. Ireland was a country distracted by too many evils to be restored to peace by any single remedy. This, however, he would say, that though the present measure might not entirely tranquillize Ireland, yet he was convinced that Ireland never would be tranquil without it. His lordship then briefly adverted to the effect which this measure would have on the election of members of parliament, and combated the idea of the danger which some noble lords apprehended from the introduction of Roman-catholics to seats in the house of commons. He stated his firm belief, that if any minister attempted to support his power, by backing it with such a buttress as the Roman-catholic interest, the good sense of the people would take the alarm, and that minister would certainly fall. In this measure he perceived no danger

danger whatsoever to the established church; and if he apprehended that the interests of the established church would be injured by it, great as he felt would be the mischief occasioned by rejecting the measure, he, for one, would certainly oppose it. As to the idea of any danger to be apprehended from the exertion of physical force, in case the measure was lost, he considered it to be quite futile. The whole of the evidence led him to adopt a conclusion entirely different. It had been asserted that, if they agreed to this measure, it would lead the way to an attack on the property of the church in Ireland. Such an attack would also be an attack on the property of the church in England, and on the possessions of the landholders of Ireland and England. This being the fact, could any one suppose that such an effort, supposing it to be made, would have the slightest chance of succeeding? They had been told that the people of Ireland, generally speaking, either cared nothing about this question, or misunderstood it. But in the same breath they were told, that those people were under the complete dominion of the priests. Now, admitting this to be the fact, the question must be one in which they would feel themselves greatly interested; for, according to the doctrine which he had quoted, if the priests told them that a subject was of great importance, they would believe it to be so. Whether it was or was not of importance, the effect of this representation on their minds would be just the same; and the same discontent must continue so long as this question continued to be

agitated. He differed from those who thought that rebellion, or insurrection would follow the rejection of this measure. He was sure the people of Ireland felt that such a step would render their situation worse, not better. But it was quite evident, that the mere apprehension of such a state of things—the mere apprehension of any attempt being likely to be made by a foreign power, for the purpose of fomenting discontent in Ireland—however much the ordinary demeanour of the Roman-catholics might induce the government to look upon such an attempt as hopeless—would necessarily keep in active employment a considerable portion of the disposable force of this country, to guard against the threatened danger. The noble lord concluded by calling on the house to agree to the bill, and, by so doing, to deprive of a triumph those whom he would not invidiously call the enemies, but who certainly were the rivals of this country.

The Lord Chancellor said, he would not enter into the merits of the catholic question, but would merely state his reasons for not agreeing to the measure now before their lordships. He did not understand how it happened that this bill came before that house in its present shape and form. He saw, from the votes of the other house of parliament, that it was connected with a bill which went to disfranchise a great number of the freeholders of Ireland, and he also observed from the same votes, that it was deemed expedient that the government should pay the salaries of the catholic clergy of that country. No person conver-

sant with parliamentary practice could view these measures without perceiving that they were nearly connected with the present bill; and yet they were asked to decide on that bill without knowing what was to become of the two measures which were introduced with it. This, he must say, was not a proper mode of legislating; and if he had no other reason for opposing the bill now before their lordships but the single circumstance to which he had adverted, he would make his stand on that ground. From the period of the union with Ireland, he never heard of this question being brought forward, without mention being made of ample security for the protestant church and protestant establishment. It had been his duty, from many circumstances, not to separate himself from the minister who conducted the affairs of government at the period of the union, on account of certain differences of opinion. That minister was favourable to the Roman-catholic claims, and he had often asked him what were those securities which he intended to propose, and without which he had declared he would not agree to the measure of emancipation? But, notwithstanding all his inquiries, he never could find what these securities were. Although there was a degree of ingenuity displayed in the manner in which this bill was drawn up, which he had hardly ever seen before in the composition of an act of parliament, there was no variation in the preamble of this from former bills. That preamble contained—first, a solemn acknowledgment that the protestant establishment of this realm in church and state

must be inviolably and permanently secured; then came an allegation that they were inviolably and permanently secured. He allowed that they were secure, provided the acts which rendered them so were permitted to continue in force; but if their lordships took away the substance of those acts, where, then, was the inviolability of their security, or their security at all? Next came a statement that it was just to unite the hearts of all his Majesty's subjects in one and the same interest: but parliament, it seemed, was to be an exception, for the bill set them all by the ears. His lordship then alluded to the provisions in the bill for Roman-catholic commissions, and said that the title "pack of nonsense," by which a noble friend of his had described it, was full as respectable a one as it deserved. What security against the influence of Rome, was afforded by three commissioners, who themselves refused to acknowledge an undivided allegiance to the sovereign? The noble and learned lord next referred to the oath of allegiance, and contended that it could no longer be taken consistently with truth: according to Lord Hale, the oath of allegiance included the oath of supremacy. He could not possibly give his consent to any measure that derogated from the supremacy of the sovereign. It was said that the jurisdiction of the pope in this country, as acknowledged by the Roman-catholics, was merely spiritual; but he (the Lord Chancellor) could not bring his mind to understand what was meant by merely spiritual jurisdiction. If two catholics here were married by a protestant

clergyman,

clergyman, the pope would force them to live asunder, and the common law would oblige them to live together. Now, was not that exercising a temporal jurisdiction? He did not think that in the discussion here or elsewhere, the question had been as largely put as it ought. They could not refuse to English catholics what they granted to the Irish; then they would be bound to put the other dissenters in this country on an equal footing with the catholics: so that it would ultimately come to this—that all the bulwarks and fences which their ancestors had provided for the safety of the protestant church would turn out to be wholly useless. But let their lordships beware what they were doing if they took these away. As to the measure for giving salaries and stipends to the priests of the Roman-catholic church; could their lordships refuse them in that case to clerical persons of other persuasions? and if they granted them in Ireland, they could not refuse to support a similar hierarchy in England. If they gave this stipend to the catholic hierarchy, they must give something more than the morsel called *sedgum donum* to their dissenting brethren. They had heard of America. It was said, that the experiment of having no established church in that country, tended to her freedom, her glory, and her prosperity: in his opinion, having a protestant establishment here was the source of the freedom, the glory, and the prosperity of this country. As for the bill for the disfranchisement of Irish freeholders, if it had any connexion with the present measure;

the house ought to have it before them. If what a noble friend of his had stated was correct, it certainly went a great way to diminish his respect for the bill which had come from the house of commons. They were not justified in taking away the civil rights of persons, which had been conceded to them upon the supposition that they were competent to exercise them. A noble lord had asked if he (the Chancellor) had become a reformer; he had lived too long to attach much respect to the character of a reformer; that term united revolutionists and republicans with some of the best persons in the kingdom. The noble and learned earl then insisted that the sentiments of an infinite majority of the people of this country were unfavourable to this bill. He should be sorry to say that the house of commons did not represent the sense of the people; but he well recollected that when the West India bill was introduced into the house of commons, and petition after petition poured in against it, it was said that the house, and not the petitions, spoke the sense of the people: however, a general election succeeded, the house, in consequence, became differently constituted, and the sense of the people proved to be a perfect illusion. With these few observations, which had been very imperfectly expressed, he would now conclude. After 25 years' consideration of the subject, he had perfectly satisfied his mind that he should not discharge his duty to his station or his country if he did not oppose this bill.

The Marquis of Londonderry explained.

Lord

Lord Holland twice rose; but the cries of "question" induced his lordship to resume his seat.

Earl Fitzwilliam, amidst similar cries, made a few observations, which were wholly unheard.

The house then divided—content—present 84, proxies 46—total 130; not-content—present 113, proxies 65—total 178—majority against the bill, 48.—Adjourned at a quarter past five o'clock.

House of Commons, May 20.—

Mr. Vesey Fitzgerald brought up the report of the committee on the Ballinasloe petition. This was the case of a petition presented by Sir John Newport, on the 17th of March last, in favour of the catholic claims, and purporting to be signed by a number of persons at Ballinasloe. Subsequently it was discovered that the document was a forgery, got up by a person named Robert Poer Trench Pilkington; and the persons at Ballinasloe, whose names had been subscribed to it, presented a true petition, praying that the house would take the fraud into consideration. The report of the committee now stated, that they had examined Robert Poer Trench Pilkington, who confessed himself the author of the false petition. That he (Pilkington) had got the paper written, affixed false signatures to it, and sent it up to a member of the house of commons to be presented; sending up, at the same time, a set of resolutions said to have been adopted at a public meeting at Ballinasloe, no such public meeting, in fact, having ever taken place. The report further stated, that in the opinion of the committee, Mr. Pilkington, in

his examination before them, had made out nothing which could extenuate his conduct.

Mr. Peel said, that it was an unpleasant duty to perform—the recommendation of any measure of severity; but the proof of the fact was so clear, and the offence of so heavy a description, that he felt himself compelled to move that Mr. Pilkington should be committed to Newgate.

It was then put and carried *nem. con.* "that Robert Poer Trench Pilkington be taken into the custody of the sergeant-at-arms."

Mr. Peel rose to move the order of the day for the re-commitment of the juries' bill. Before going into the committee, he wished to move an address for certain returns, which would afford further information on the subject. He then moved, that an humble address be presented to his Majesty, praying that there be laid before the house a statement of the local regulation for the selection and impanelling of juries in towns being counties in themselves, and other towns and boroughs in England and Wales.

Mr. Scarlett concurred in the address, as he was anxious that every information should be given on this important subject.

After a few words from the *Attorney-General*, the address was agreed to.

Mr. Peel said, that before the house went into the committee, he wished briefly to restate the principal objects of the bill. The first object was to consolidate the several statutes, about 60 in number, which were now in force, for regulating and determining the qualifications of juries serving at assizes. These,

These, which were spread over the statute-book, it was proposed to bring into one act, and also about twenty statutes on the subject of impanelling juries. Another object was, to extend very considerably the number of those who might be called upon to administer the law as jurors. A vast number who were not considered qualified as the law now stood, but who were really qualified by property, would be included. Thus all persons being leaseholders of property to the amount of 20*l.* for twenty-one years, would be considered qualified to act as jurors, instead of confining the qualification, as at present, to those who had a freehold of 5*l.* a year.. Another object was, to remedy the inconvenience found in some cases, in which a challenge would hold good to the array, because there was not a knight among the number. This he thought a very useless, and it was often found a very inconvenient, enactment; he therefore proposed to repeal it. It was also intended to repeal that part of the present law which required, in many cases, that so many jurors should be returned from the same hundred. He thought that justice was more likely to be administered with strict impartiality where men were chosen from different parts, than selected from one particular district. But the most important feature of the bill would be the regulation with respect to special jurors. It would henceforth be required, that in all cases where the crown was either a real or a nominal plaintiff, the special jurors should be selected by ballot. In all criminal proceedings tried by special juries, the same regulations should be observed; but in civil

cases, where a consent in writing was given on both sides (which written consent should be afterwards received as evidence of the agreement between the parties), it would be allowed to select special juries in the same manner as at present; but in criminal cases, the appointment of special juries by ballot would be imperative. These he considered would be important public advantages arising from the bill; for it was of the utmost consequence that a feeling of perfect security and confidence in the trial by jury should be established in the country.

Mr. Scarlett said he should not do justice to his feelings, if he did not offer the tribute of his sincere applause to the right honourable gentleman for the introduction of this most useful measure. It was of the utmost importance that the trial by jury should be made as perfect as possible. One of the greatest blessings resulting from the free constitution of this country was, that the people had, as jurors, the administration of the laws in their own hands, and were thus, in a great degree, the distributors of the punishment with which the infraction of those laws were visited. It would be very difficult for a private individual to carry a bill of this importance through the house, and therefore it became a liberal government to take it up. For the manner in which the arduous task had been undertaken by the right hon. gentleman, and the great labour and assiduity which he evinced to bring it to perfection, he thought too much praise could not be given. He could not say what its effects might be in every case, but most certainly he anticipated very beneficial

nefficial results from its enactment, and he would most readily contribute his best support to it in every way in his power.

Mr. Peel observed, that he felt great pleasure at the manner in which this measure had been received by the house. He had to acknowledge the cordiality with which it was met by honourable members on both sides, without any reference to party feeling. The alterations proposed would, he felt persuaded, be productive of good effects to the country. There were, besides those to which the bill related, other points connected with the administration of justice, which he thought would bear being calmly looked at and inquired into; and with the encouragement he had already received, he hoped at no distant period to bring them under the consideration of parliament.

Mr. Brougham, after enumerating the objects of the bill, observed, that that part which went to alter the present mode of selecting special juries, more particularly in crown cases, was most important, and would produce the best results. He should give his entire concurrence to the bill.

The question was then put, and the speaker left the chair. The bill went through a committee. The house then resumed, and the report was ordered to be received on Thursday next.

The Chancellor of the Exchequer moved that the order for receiving the report on the resolutions relative to the increase of salary to the judges be now read.

The order was accordingly read. *The Chancellor of the Exchequer*, in moving that this report be now received, took occasion to

notice certain observations that had been made on a former evening respecting the proposed increase to the salary of the judges. Understanding it to be the wish of the house that the retired allowance of the puisne judges should be reconsidered, he had devoted his attention to that point, and it had naturally led to a modification of the full salaries. His object, as he had already explained, in proposing 6,000*l.* a year to the puisne judges, without any proportionate increase of the retiring incomes, was twofold—1st, to induce younger men of eminence in the profession to undertake such offices; and 2d, to make the income such as would be worth the acceptance of men of great prospects in the profession—neither of which considerations had been, he thought, sufficiently attended to in the existing state of things. He had also considered the subject of translating judges from one court to another, but had not come to any fixed conclusion upon it; for, though he thought it a highly prejudicial principle that promotion on the bench should be made a reward for the discharge of particular duties in that high station, yet he felt it would be going too far to say that in no case should it be competent for the government to make such promotion. With respect to the retiring allowances, and the consequent modification of the full salary, what he meant to propose was this—to deduct 500*l.* a year from the original proposition of 6,000*l.* a year to the puisne judges, and to add the 500*l.* so deducted to the retiring allowance of 2,500*l.* a year; so that the full salary would

would be 5,000*l.* a-year, and the retiring one 2,800*l.* This arrangement could not, he thought, be reduced without compromising the double object of securing men for the office at an earlier period of life, and of that class of eminence which the duties of the bench required. The question of the retired allowances could not be regularly modified, on the bringing up of this report, but he would propose it on a re-committal of the particular resolution which embraced that branch of the subject.

Mr. Scarlett said, that he would, on grounds of delicacy, refrain now, as he had done on a former occasion, from pronouncing any opinion on the amount of salary of the puisne judges, but he could not forbear from noticing the proposed arrangement for retiring allowances. Now, he thought, when they considered how seldom such retirements were called for,—he hardly remembered more than two together in his time,—that that branch of the consideration was of far less consequence than the settlement of the full salary. If a judge, then, were to receive 5,500*l.* a-year while on the bench, he must say, that 2,800*l.* a-year appeared to him too little, in comparison, for a retiring allowance, and hardly enough to enable the individual to maintain that station in society which his previous office required, and which the connexions and situation of its duties must, in a great degree, still entail upon him, though he had ceased to perform the functions of a judge. The effect, then, of being too economical in the retired allowance might be detrimental to the public service, by compelling

a judge to remain longer in office than his health and faculties warranted. He remembered, indeed, an instance of this: the late Baron Wood, who was an excellent judge, a profound lawyer, and a person of great sagacity, at a very advanced age retired from the northern circuit; and instead of quitting the profession altogether, was offered the seat in the court of exchequer, which he could not, under the circumstances, well refuse. The consequence was, however, ultimately painful; for the Baron's infirmities grew upon him so fast, as to render it most unpleasant to himself, to the bar, and to the public, to have the administration of justice conducted by him: he had at length lost one eye and both ears. This would not have happened, were the retiring pension adequate. To remedy such defect, he thought the retiring allowance ought to be 3,500*l.* a-year, to bear any fair proportion with the full salary of 5,500*l.* It ought to be remembered that a judge could not retire when he pleased—the government had always the option of permitting him, and requiring his full services, as long as it was obvious that he was capable of performing them. Another consideration struck him as entitled to notice—one which, if carried into effect, would, he had no doubt, be alike pleasing to the judge and useful to the public—he meant the employment of the judges in a particular manner, even when they had retired—he meant in the privy council. See the duties which devolved upon that body! The subject at home had all the different courts of appeal open to him from one de-

cision to another; but not so the subject in the British colonies, which, be it remembered, comprised the whole Indian empire, and yet who had only the privy council to appeal to, and the judgment there was final. Of what importance then was it not, that the privy council should be so composed for its decision upon matters of law, as to be enabled to adjudicate with legal precision and perspicuity? He had known in times gone by (for he spoke not of the present), the greatest ruin to attend precipitate decisions of the council. How, indeed, could it be otherwise, when the members were persons, however acute upon other matters, whose minds were not in the daily habit of discriminating in technical matters of nice legal construction, and of bringing that particular knowledge and professional experience into the consideration which the case essentially required. He knew that this cause of complaint did not always arise; for while Sir William Grant attended the privy council, they were sure of the aid of a lawyer of the most perfect constitution, both by nature and education, that it was possible to form of man—one of the greatest and most upright characters that ever adorned the bench; but the public had not always the aid of his great knowledge and talents; for he remembered, that at the time when Sir William Grant for some reason declined attending the privy council, he (Mr. Scarlett) and Sir Samuel Romilly had on one occasion to attend there; and he recollected that seven appeals were at that time decided quite contrary to the way in which all

the lawyers present thought they should have been. Now, would it not be well to call upon retired judges to assist on these occasions, by making them members of the council? The labour would be much less than that on the bench, and the duty such as a retired judge could generally discharge without oppressive fatigue. In this view he wished to be liberal in the retirement allowances. Before he sat down he was anxious to ask for an opportunity to have the resolution reconsidered, which went in his opinion to rob the chief justice of a part of his income, to create a fund out of which to pay the puisne judges. When could he propose such a reconsideration?

The Chancellor of the Exchequer doubted whether it was competent, as the question stood before the house, to propose the increase of any particular salary, though a reduction was practicable and consistent with form. He was, however, anxious the hon. and learned gentleman should have the opportunity he required, although he (the chancellor of the exchequer) retained his original opinion respecting the salary of the chief justice.

The Speaker said, that no alteration by way of increase of salary could be proposed in this stage of their proceedings.

Mr. Brougham rose to bring forward the subject of which he had given notice, respecting the proposed arrangement of the salaries, and the translation of the judges from one judicial office to another—in fact, to re-open the whole question. He agreed without a single exception in all that had just fallen from his hon. and learned

learned friend, whose great experience, varied opportunities, and profound knowledge upon such matters, justly entitled him to great weight in this discussion. It was, he could assure the house, the universal opinion at the bar, that the retiring salaries of the judges ought to bear a nearer proportion to their full emoluments; he was therefore one of those who thought the proposed scale was a bad one, and particularly respecting the arrangement for the chief justice, who was to give up so much valuable patronage for so inadequate a compensation as 800*l.* additional a year. There was no comparison between the duties of the chief and puisne judges, and it was of the utmost importance that the former should be so placed, from the dignity of his station, in a capacity to exercise that proper sway which the due discharge of business required, and which could not be practically effected, if the four sitting judges were to be nearly of co-ordinate influence. Every man conversant in the business of the courts must be aware how useful it was that the chief should be invested with extrinsic and intrinsic authority, so as to keep a proper sway over the proceedings of the courts. The fact was, that in any court where business must be done, a great deal depended on the lead which should be taken by the chief judge. Whatever was done, therefore, in diminishing the emoluments of the chief justice, must *pro tanto* diminish that sway in kind and station, as compared with that of the puisne judges, with which it was for the good working of the business of the court he ought to be clothed. Besides, a chief justice had, as he

had already stated; a quantity of business peculiar to himself, beyond all comparison greater than the other judges; let them remember how it amounted in Lord Ellenborough's time, when on one occasion he had to dispose of a Guildhall paper, containing 588 causes, which he did to the astonishment and admiration of the profession. The business was not now so great as it was then, but still it was five times greater than in the time of Lord Mansfield; the proportion was as 60 to 350. When he spoke of the superior and heavier duties which devolved upon the chief justice, he begged not be considered as disparaging the puisne judges, many of whom (particularly those in the Court of King's Bench) he had known at the bar, and more learned and virtuous men he did not believe existed; he wished merely, when he alluded to them, to speak of the comparison of labour in the courts. The puisne judges had the whole adjournment from the 28th of November till the 23d of January. The chiefs, it was true, did not go the spring circuits; but then they had their *nisi prius* sittings, from nine o'clock every morning until four o'clock, the constant taking down of evidence, which was so much more laborious than merely hearing arguments at the bar—this business of what Mr. Bentham would call "single-seated justice," fell heavily and laboriously upon them, and the chief had always the great responsibility of dispatching it. As a proof of the superior sway which attached to the chief justice in proceeding with business, he remembered that shortly before Lord Ellenborough retired, one

or two of the puisne judges were in the habit of sitting for him by turns, at *nisi prius*; but, vexed one morning at the accumulating arrear of business, his lordship, as if by a sudden illumination which was to shine out before his mental light became eclipsed for ever, resumed his place in court, and swept away in the course of that single sitting seventeen causes, which stood in the way of the regular and quick dispatch of business. It was this consideration of the value and the great additional labour of the chief judge, which induced him to say that 800*l.* a year additional was no compensation for the office—no remuneration for the proposed transfer of its patronage, (containing, among others, two offices which sold for 20,000*l.*): and therefore he complained. His next objection to the scale was regarding the vice-chancellor—an office now filled by Sir J. Leach, than whom there was not in the profession a more learned ornament. The lord chancellor was of course a learned man—a very learned man—he must be deemed the most learned of the lawyers; but still the value of all these acquirements must be measured by their public utility, and that almost entirely consisted in their application to the dispatch of business: it was there that the vice-chancellor shone conspicuous, for he did nothing else but decide cases. He sat in his court, not from eleven to two o'clock, but from ten to four—ay, and he used to come down while suffering excruciating torments from indisposition, and when his physician said that he was fitter for his bed than for the bench—nevertheless,

the vice-chancellor was in his court, and despatching business. He was therefore to all intents and purposes a judge, if the person deserved that name who was really a judge. He knew many who thought so, and even those who would rather run the risk of having their causes hastily decided before the vice-chancellor, than never have them decided at all elsewhere. And yet this was the judge whose salary in the scale was to bear no adequate proportion to that of others in the same line of rank. God wot, where was the comparison of giving 7,000*l.* a year to the master of the rolls, and 8,000*l.* to the chief baron? The business of the master of the rolls was nothing compared with the vice-chancellor's, who had the court of chancery business, in fact, to perform. This scale, therefore, was wrong, and must be altered. He also thought that the salary of 8,000*l.* a year for the chief justice of the Common Pleas trod too closely upon that of the chief of the court of King's Bench, who was chief justice of all England. As to the salary of the puisne judges,—and he spoke it in a place from which his expressions would in a few hours be conveyed to the bench,—he thought the proposed scale too high, and that they would be well and truly paid with 5,000*l.* a year. When he said this, the house must feel he gave a disinterested opinion; for it was not pleasant to speak in reduction of the incomes of those in whose presence he must spend nearly the whole of his time; and where it was desirable for him professionally to hold a good understanding: still he must say, that 6,000*l.* a-year was for them quite

quite an extravagant remuneration, and he believed there were none more surprised at it than the judges themselves. He saw that the whole bar in Westminster-hall were in one ferment of astonishment at the proposition on the morning after it was made, and they naturally compared the emolument and the duties with those of other offices. There was the speaker, the first commoner in England, an office of great responsibility and heavy labour, attended with very great expense, admirably sustained at present, as all must know who partook of the dignified and splendid hospitality of the speaker's mansion; and yet his salary was only 6,000*l.* a-year. What comparison was there between his necessary expenditure, and that of a puisne judge who had only the circuit expense to maintain? Then there was the office of secretary of state for the foreign department, who had to maintain the national hospitality on a suitable scale, in the presence of foreigners of rank,—who had his household expenditure also swelled by the nearly constant maintenance of messengers,—who, besides, had no house provided for him, and indeed whose business consisted of no sinecure; for he had to listen to the ambitious pretensions of the holy alliance, to fence off all their meditated attacks upon public liberty, in the best way he could,—to keep them off his hands; and he had no doubt it required all his great ingenuity to do so,—to make excuses of all kinds for them both in and out of the house—to correspond back and forwards with these good people—to tell them that to attempt in England to assist in some of

their projects would be just as much as his head was worth; then to manage matters in debate in parliament; and yet all this for 6,000*l.* a-year! The puisne judges were only plagued all day with the lawyers, but the foreign secretary was plagued with them all night,—not so satisfactorily, indeed, for either party; for the lawyers had often a chance of gaining a cause by day, but they had little or none when they grappled with the right hon. gentleman by night. On the whole, he thought 5,000*l.* a-year was quite enough for the puisne judges: he would propose, then, at once, to lop off 500*l.* from the resolution of 5,500*l.* a-year. Let him not be told of the refusal of professional gentlemen to ascend to the bench for such a salary. It was easy for a lawyer to say, I would not take it; but there were two ways of making the offer, which reminded him of an observation of a humorous friend, who was also of the profession, who had said that it was one thing to ask a man to take a dram when the bottle was on the table before him, and another to say "Sir, will you allow me to send to the cellar for a flask to refresh you?" Only let the appointment be offered to the bar, and then they would see who would refuse it. As to the independence of the judges, the king had properly said that he looked upon it as the best means of upholding the dignity of the administration of justice, and also as being the most conducive to the honour of the crown. Here the hon. and learned gentleman referred to the message from the late king to parliament, which made the judges not removeable on the demise of the crown, and pointed

pointed out the popular mistake which attributed to George the Third the first step for rendering the judges independent, whereas it was taken by King William, the late king only altering the act of parliament to make them survive the demise of the crown. The next point to which he would direct the attention of the house was the impropriety of the translation of judges from one office to another. This looking up for promotion on the bench, as in the church, naturally tended to make men look rather to their maker, than to the public good. He would not say that within his time and experience he had seen any bad consequences arise from the ambition to obtain such promotion—he had certainly never seen it to operate among their criminal judges, (he only spoke of them, and not of the office of chancellor, which being partly judicial, and partly political, must of course more expose the possessor to influence)—among them he certainly had never observed it. He could not, however, as an honest man, say that he had not sometimes seen a certain effect on some judges from particular bias—he admitted it to be rare, and accountable from peculiar circumstances—but generally the bench was admirably filled. Still the crown ought, for its own sake, to remove the sort of tendency to which he alluded, or the possibility of its existence. If they wished to preserve the purity of the judges in the public esteem, they ought to put them above suspicion. He foresaw the difficulty which would be opposed to his proposition, and the choice which would be left to him between the positive prohibition to

translate a person of high merit in default of finding any candidate so competent, which might occur once in half a century, and the other danger which he dreaded of constant translation. Between those two evils, he would elect the first. He did not wish to be driven to a legislative remedy. He rather chose to embrace, by a resolution of the house, the principle which had, in the very same manner, been adopted for the basis of that brilliant act of the last reign, which professed in the preamble the same intention which he now held—that of securing the independence of the judges. The case of Baron Eyre, who was promoted to be chief baron, and then chief justice of the Common Pleas, was, he believed, the only one of the kind up to that period. He would, he confessed, have less dread of the translation of a master of the rolls to the same office. In the latter case, the individual was not so likely to feel the conflict of interest and duty, as in the former. He would have no predispositions as to questions of political libel—he would have no peculiar feelings acquired from judicial habits in administering the law of high treason—nor in any of the great questions which affected the interests of the crown, the revenue, or the tithes. His wish was, however, to emancipate them altogether from any bias on their judgment, and from any suspicion of bias in the public mind. He did not recollect any other instance of this kind of translation up to the time of the regency. But of late years the practice had increased, so that in 13 years there had been no less than six acts of judicial translation. This

was

was enormous. The first of these cases was that of Sir V. Gibbs, a man of very strong political character; and therefore, in ordinary calculation, liable in a considerable degree to the influence to which his observations referred, though, as he very willingly admitted, in practice a very pure, impartial, and enlightened judge. He was attorney-general in very troublous times; then was made a puisne judge of the common pleas, and after that chief baron of the exchequer; then chief justice of the common pleas; and he might have been chief justice of the king's bench; but his infirmities grew upon him so fast, that he died in a year or so after his last promotion. The next case was that of Baron Thompson, a truly venerable judge—no man more readily admitted his high qualities and judicial excellence, his eminence as a lawyer, and his amiable disposition. He was first a master in chancery, then a puisne baron of the exchequer, then chief baron. And here he could not but observe how groundless were the fears of not being able to get able men to accept these offices. A master in chancery had one of the easiest and most lucrative situations under the crown; and yet Chief Baron Thompson gave up all the delights and advantages of it to go into the exchequer, one of the dullest courts in the universe, to attend the Old Bailey, and to drudge upon the circuit; he (Mr. Brougham) having seen him upon the northern circuit in his turn for many years. At that time, too, the salaries were much less than at present. The next case was that of Baron Richards, first solicitor-general, then puisne baron, 1825.

then chief. Mr. Abbott, the present chief justice, was a puisne judge. He admitted that no man more able, more perfectly competent in all respects, could have been chosen. Justice Dallas was the sixth case, and that of Justice Best was the seventh, and all in thirteen years. Why, it was vain to talk of any other rule: this was become the common practice. In his opinion this was the wrong course: they ought not to put the judges in that situation in which translation placed the bishops, where their duty to the public and to their patrons must conflict with each other. A year ago every chief in Westminster-hall had been promoted from an inferior judgeship. The lord chancellor had been chief justice of the common pleas, Chief Justice Abbott had been puisne of his court, Chief Justice Dallas and Best, and Chief Baron Richards, had all held places as puisne judges. Every one of the arch-judges had been a common judge translated, as an archbishop was generally made from a bishop. This ought not to appertain to the appointment of a judge, who was to be watched by a jealous bar and a no less jealous public. Men were but men. It was not enough that those who held that sacred office should be put out of the way of temptation—they ought to be placed above the suspicion of it. Reverting to the difficulty which he had before mentioned, he preferred shutting out the promotion of the most deserving judge once in fifty years, and amidst a dearth of the requisite talent, to leaving the subject so open to jealous animadversion. He meant no offence to any one man

man—he spoke theoretically. He went by his knowledge of human nature. He proposed to insert in the resolution, “Whereas it is expedient to secure the independence of the judges by providing them adequate salaries; and whereas it is unwise and inexpedient to promote puisne judges to be chief justices, or puisne barons to be chief barons.”

The *Attorney-General* thought it would be very unwise and inexpedient to adopt the resolution as it was moved by his hon. and learned friend. Neither the history of present or of past times proved it to be at all necessary. A resolution of the house in the last reign had been inserted as the preamble of an act for securing the independence of the judges and the due administration of justice; but that formed no case to justify the resolution now proposed, which if good in principle ought to be constituted into the rule by legislative provision. He thought it scarcely fair to attempt to carry it under the colour of an opinion given by the house. If it were wise to forbid the promotion of puisne judges, let that be expressed. But if the matter were to be left to individual discretion, the crown must be left to exercise that discretion. Any particular abuse in its exercise might form a ground for legislative interference. It was said that these translations were more numerous than in former times. What did that amount to, if in every case a justification was found in the circumstances? At the time of the appointment of Chief Justice Dallas, the place was offered to the attorney-general, who refused it. Mr. Dallas had been solicitor-

general. Could it have been offered to a more fit and proper person—could the situation have been better filled either for the court or the public? His hon. and learned friend had quite forgotten the practice of past times. Lord Coke was moved from the common pleas to the chief justiceship. Sir M. Hale was a puisne judge before he was made chief justice. Lord Hardwicke was chief justice of the king's bench, and then was made lord chancellor. Lord Camden was chief justice of the common pleas before he was lord chancellor. Yet the hon. and learned gent. would lead the house to believe, that since 1810 a new principle had been adopted. Accident had multiplied the cases, but there was no new principle. Lord Kenyon was chief justice of Chester and master of the rolls before he was made chief justice of the king's bench. What did all this prove, but that the line could only be drawn, however desirable in general to avoid the practice of translation, by individual discretion, and that discretion must be left with the crown? It was against the practice of the constitution to embrace a proposition of this nature in a resolution, which, if good at all, ought to be carried into effect by an act.

Mr. Scarlett could not reconcile the inconsistency of his right hon. and learned friend in saying that there ought to be no resolution, and the conduct of the chancellor of the exchequer in proposing a resolution. If it were inexpedient, then why was any resolution proposed? He could perfectly understand the design of his hon. and learned friend near him, who wished to propose the sentiment of the

the house, (which he must take leave to say was that of public opinion generally), in a way which would hand it down to posterity for the guidance of their conduct. But he invited his right hon. and learned friend to consider the effect of what he had uttered. He allowed no qualification whatever: he declared every resolution of the kind to be unwise and inexpedient. Again, let him only remark the inconvenience of entrenching himself behind individual cases. How was it possible for his opponents to argue with him while he remained in such perfect safety? They took general and abstract grounds, to which the right hon. and learned gentleman, without any reasoning upon them at all, opposed individual circumstances. Of course there could be no argument on those terms. Suppose he were to take up the statements of the right hon. and learned gent. and put a particular case. In the time in which Mr. Garrow was attorney-general there were no less than three vacancies—two as chief baron, and one as chief justice of the common pleas. Were either of these offices tendered to Mr. Garrow? Was he not a man of eloquence equal to any man—of consummate talent in his profession—of high legal attainments? What objection could there have been to his appointment? Would it be pretended that he was like some other great men who had preferred ease and retirement? Alas! he solicited and obtained the situation of puisne judge. It was impossible to offer an objection to his appointment, and yet three chief judgeships were vacant, and not one was offered to him. It could not be presumed that the

chancellor, who had the recommendation of the judges, wished to insult a man of Baron Garrow's character by quietly passing him by. It was much less to be supposed that he would before that have advised his promotion to the office of attorney-general, if he had not been convinced that he was equal to the highest offices of the law. Such was the inconvenience of arguing upon individual cases. As to the cases of former times, he had always understood that Lord Hardwicke had taken the chancellorship very unwillingly. The right honourable gentleman should recollect, that it only belonged to modern times for a chancellor to hold the seals for 25 years, or half a century. At that time a lord chancellor was considered only as a minister subject to removal with his friends: no one dreamed of holding that great and lofty situation for life as in our times. No doubt the public derived the highest advantages from the judge who now held the office. But could Lord Ellenborough be prevailed upon to accept it? No; he preferred being chief justice of the king's bench. Lord Mansfield refused the seals: Lord Camden accepted them with difficulty, to oblige his party; nor was he ever known to be satisfied with the exchange. Until the right honourable gentleman could get up a joint stock company to ensure the possession of the office for half or quarter of a century, the promotion of a chief justice to a chancellor, such would always be the case. It was not proposed to prevent the crown from translating puisne judges, but only to give expression to the general feeling. He remarked the impropriety of

quoting the cases of Lords Coke and Hale, who were deposed from their places, and put down to the bar. It was admitted that the crown was not to be restrained, but it belonged to either house of parliament to make propositions of his kind in the nature of advising.

Mr. Canning would not undertake to argue on the points of professional knowledge in issue between the hon. and learned members; but conceding all which had been urged by the hon. and learned gentleman who spoke last, he found the argument conclusive against agreeing to the resolution proposed by the hon. and learned member for *Winchelsea*.

Lord Althorpe supported the resolution proposed.

Mr. Peel opposed the motion. After some observations from *Sergeant Onslow*, *Mr. Denman*, *Mr. Wynn*, and some other members, the house divided, when the numbers appeared—For the amendment, 29; against it, 112; majority, 83.—Adjourned at half-past one o'clock.

House of Commons, May 19.—The order of the day for bringing up the report on the quarantine laws bill was read.

Sir I. Coffin felt it his duty to make a few observations on the present occasion. He could from his own personal observation state that the plague was contagious. When he was at Malta, the disease was brought to Valetta by a shoemaker, in some leather. The man died, and so did the family with whom he resided. The disease was soon pronounced to be the plague, and spread rapidly; and had it not been for the precautions adopted by *Sir Thomas Maitland* and the other English officers on

the spot, he did not doubt that all the inhabitants would have perished. A *cordon sanitaire* was drawn round Valetta, and every person who attempted to pass it was shot. The disease was at length subdued, after five thousand of the inhabitants had been carried off. It was next conveyed to the island of *Gazza*, in the clothes of some of the persons who died at Valetta, and 600 people were destroyed in the island. Whatever might be the difference of opinion in England with respect to the doctrine of contagion, he could assure the house that in those countries where the plague had most frequently appeared, there was but one opinion on the subject. From *Gazza* the disease was conveyed to *Corfu* by means of a skein of cotton, which was carried thither by a young lady, who perished with all her family. At *Tunis*, *Tripoli*, and *Algiers*, it was the custom of the Franks, as christians were then called, the moment the plague made its appearance, to shut themselves up in their houses, to receive their food on the roofs, and to eat only stale bread, for new bread had the faculty of conveying the disease. In consequence of taking these precautions there was scarcely an instance known of a Frank falling a victim to the plague. A ship sailed every year from *Alexandria* to *Algiers*, laden with the clothes of those who had died of the plague, and thus the disease was continually being renewed. We were in the habit of importing a great quantity of cotton from the Delta, and if the plague should prevail at that place, he had no doubt that it would be brought into this country. All articles coming from the Delta

ought to be scrupulously examined. A writer, he saw, had lately maintained that the plague was not contagious. This could only be some hyperborean philosopher with a hide like a rhinoceros. It had likewise been stated that the plague had never been introduced into England. That was not correct: the plague had prevailed in England four different times, and 168,000 people had been carried off by it.

Lord Belgrave said, that to prove that the plague was contagious, no more was necessary than to refer to the case of Dr. M'Lean, who went to Constantinople to endeavour to ascertain the fact. He expressed a desire to be placed where the disease was raging most. His wish was complied with, and the consequence was, that he caught the plague, though it did not end in his death. It was really astonishing that members of that house should contend that the disease was not contagious. If any proof were wanting to show the fallacy of that opinion, it might be found in what the gallant officer had stated with respect to the conduct of the Franks in the countries of the east. The instant the plague appeared, they closed their doors, subjected all their food to a process of fumigation, and shot their cats, for it was known that those animals could convey the disease. Having taken these precautionary measures, it never happened that they were affected by the disease. The Mahometans, on the other hand, who considered the plague to be a sacred disease—who were told by their religion, that if they perished by it, they would be received at once into the bosom of

Mahomet, or what, perhaps, they would rather prefer, would be permitted to enjoy everlasting fruition in the arms of the *houris*, took no precautions against catching the disease, and were therefore carried off by thousands. He knew a respectable merchant connected with the Levant company, who expected by the operation of the bill to put into his pocket about 4,000*l.* or 5,000*l.*; but, much to his credit, he had publicly stated that he should do so with regret, because he considered it the price of blood. The difficulties which we should experience in our export trade, in consequence of passing the bill, would more than counterbalance any advantage which might result from it to the import trade. In Naples and Leghorn, England was already considered an infected country, and our ships were not allowed to land their cargoes until they had waited a considerable time. This, no doubt, would be productive of great inconvenience to merchants. He could not imagine what object the right hon. gentleman could have in bringing in the bill. He had turned the matter over in his mind, and at length he had hit upon the object which the right hon. gentleman had in contemplation. He must intend to establish a joint stock company for the purpose of extending the burying grounds. He entreated the house to consider the subject well. He trusted that hon. members would oppose the measure; and, like the ancient prophet in the wilderness, "stand between the dead and the living, and stay the plague."

Mr. Bernal cautioned the house against

against hastily adopting any measures upon so serious and important a subject.

Mr. Charles Grant said, that the bill, properly looked at, was open to none of the objections which had been taken to it. The committee of foreign trade had sat last year on the subject of the quarantine laws. Having received a variety of complaints as to the difficulty and impediment which those laws placed in the way of commerce, the committee had applied themselves to consider, not whether the plague was or was not contagious, but whether, assuming it to be contagious, any part of the existing restrictions could be dispensed with without danger: for—he (*Mr. C. Grant*) wished that hon. gentlemen had read the report of that committee before they made up their minds on the subject—the committee had actually set out by assuming that the plague was contagious, and had refused even to examine any evidence to the contrary effect. It was the opinion of *Sir Gilbert Blane*, and of several other physicians, decided advocates for the theory of contagion, that, admitting the plague to be contagious, all the provisions of the present bill might be carried into effect with perfect safety. The hon. member sat down by declaring that the effect of the bill had been entirely misunderstood by those who opposed it.

Lord Belgrave said, that he merely intended to protest against the doctrine of the plague not being contagious.

Mr. Bernal was of the same opinion.

Mr. J. Smith said that the

Levant trade must be entirely destroyed if the bill were not carried. He believed, certainly, that the plague was not a contagious disease.

Mr. Trant thought differently as to the question of contagion, but believed that there was nothing to be apprehended from the operation of the present bill.

The report was then received: to be read a third time to-morrow.

House of Lords, May 26.—*Lord Melville* rose to move the second reading of the bill he lately introduced, for amending the law relative to the oaths taken on naturalization and on reversal of attainder. According to the law as it now stood, foreigners naturalized, or subjects restored to honours, were obliged to appear at the bar of the house to be sworn, and to have taken the sacrament according to the forms of the church of England. This was on high authority held to be the law, under an act which passed in the reign of *James the First*, about a century before the union with Scotland. It was understood at the union that no test should be required of the natives of Scotland; but, notwithstanding the stipulation on that subject, the law had since been differently interpreted, so that the great age of the *Earl of Mar* could not excuse him from coming to that house, and he was obliged to comply with the usual practice of taking the test. It was very unreasonable that the sacramental test should be required of natives of Scotland, or of foreign Calvinists on being naturalized. He thought it would be sufficient if the law provided that the person naturalized was a protestant,

testant, without inquiring whether he belonged to the church of England or any other sect. With regard to cases of restoration and reversal of attainder, it might often be a great hardship on persons to require their attendance at the bar of their lordships' house. A case of this kind had occurred, with respect to a young officer (Mr. Fitzgerald) who was obliged to appear and take the test, before he could enjoy the advantage of the restoration, though he was in the public service, and in a situation on account of which their lordships would have been disposed to extend indulgence to him. He therefore proposed that the necessity of appearing at the bar in cases of sickness, bodily infirmities, and under some other circumstances, should be done away with; and the object of his bill was to provide, that in such cases it might be referred to a committee of their lordships to see whether the requisite oaths had been taken, and all that the law required complied with elsewhere.

After a few words from the Earl of Lauderdale, the bill was read a second time.

Lord Holland, after the act of Queen Ann, and the subsequent statutes relative to attainder, had been read, proceeded to call the attention of their lordships to the bill he had introduced. In submitting the motion for the second reading of this bill, though convinced that it was founded on sound principles, and called for by a regard to good faith, he still thought some apology necessary for his undertaking to bring the measure forward. He was conscious that he was attempting to procure the alteration of a law

which some of the greatest and the best men of former times had made the subject of their consideration, and which had occupied the attention of Lord Somers, Dr. Burnet, and Blackstone. If the interests of the people of Scotland, the influence of their peers in their lordships' house, and their representatives in the other, had as yet brought about no change of this law, it might be considered presumptuous in him, unaided by any authority, and standing there alone, to expect to accomplish so great an object. But he trusted their lordships would excuse his endeavour, when he stated that he was induced to make it by a train of circumstances and appearances in the times, which led him to conclude that the present was the most favourable moment which could be chosen for an experiment of a liberal kind. Several reasons concurred to support him in this opinion. Through two successive sessions their lordships had been occupied, most laudably occupied, in amending the law of Scotland; they had also been employed in reversing attainders; and it was needless for him to remind their lordships, that in the times in which they now lived, there was no longer any competitor to the crown—the chief ground on which the apology for the law of attainder had been rested did not now exist. All these reasons induced him to think the present the fittest time, in which he could submit to their lordships such a proposition as that which was contained in the bill he had introduced. Still, however, he wished that one better qualified to do justice to the subject, and who would have had more weight with their lordships,

lordships, had undertaken the task. The noble viscount opposite (Lord Melville) knew the sincerity with which he spoke, when he said that he would have wished that noble viscount to have taken this business upon himself. It was much to be regretted that the occupations of the noble viscount did not permit him so to do. He had, however, that night brought forward a measure which, though affording no direct argument in support of the bill now before their lordships, yet served to render evident some of the evils of which that part of the country in which the noble viscount was more particularly interested had to complain. In a few words he would state the object of his bill. It was not to lessen the punishment of offenders, but to confine punishment to the guilty. It was brought forward to afford a shelter to the innocent. It was not founded on any morbid sensibility opposed to the punishment of crimes. Its effect, if it should be adopted, would merely be to restore to Scotland what once was the law of the country, and to which that nation had been strongly attached. It would be to realize that purpose which, by acts of parliament, the king, the lords, and the commons, had twice in principle sanctioned. He hoped that their lordships would the more readily be induced to agree to the alteration he proposed, as the law of attainder was not analogous to the law of the land, but presented a case of exception. He saw, indeed, no ground on which the bill could be opposed, unless the bugbear of innovation should be called up against it. He did not wish to condemn a proper repugnance

to innovation; but whatever reason there might be for resisting measures on that ground, no such reason could apply to the present bill. In principle, the proposition had received the sanction of their lordships' predecessors. But it might be said that a measure which appeared reasonable in itself might be attended by great inconvenience in consequence of the inconsistency to which it would give birth. But neither the objection of innovation nor inconsistency could be sustained. With regard to Scotland, the measure could not be innovation, for it was a restoration; it would remove an anomaly in the law of that country, which, if suffered to remain, might be attended with very serious consequences to the rights of succession. With regard to England, it was surely impossible to give the name of innovation to a measure which parliament had, during the last century, wished to realize, and had only not carried into execution on account of the existence of a particular party. The principle, however, had been sanctioned, and that sanction was recorded on the statute-book. The adoption of the measure he proposed would, therefore, contribute to render the law consistent and uniform. The noble and learned lord on the woolsack could not, he thought, object to the measure either on the ground of innovation or inconsistency, for he had prevailed on their lordships to do away that most ancient practice according to which their jurisdiction used to be exercised—a practice more ancient than the woolsacks on which the noble and learned lord was seated—and to delegate the hearing of appeals from courts

courts of law to a few of their lordships. He had also consented to the doing away the trial by battle in cases of murder. Why had the noble and learned lord done so? Because public convenience required the former alteration; and because in the latter case the law was not suitable to the times; because the people of England, for whose interest the practice must have been established, had now better means of obtaining justice. The law of attainder and corruption of blood was felt to be so objectionable in Scotland, that the parliament of that country in the reign of James II., with them James VII., enacted the law of entail as an indemnification against the law of attainder. He had the authority of one of the most eminent men in Scotland, and one of those best acquainted with the effect and operation of the laws in his time,—he meant Lord Perceval,—for saying, that in 1745, the great inducement of the people who adhered to the cause of the pretender was to obtain some alleviation of the law by which entails were attainted and destroyed. He had been permitted by the kindness of a descendant of that noble lord, to look at the notes of the speech made by him on that memorable occasion, and he found this statement in them, which, as it had not then been contradicted, he had a right now to assert was entirely true. Bishop Burnet said, that at the union it was intended to have introduced a provision respecting this law, but that the Scotch steadily refused to be deprived of the immunity which they had always before enjoyed from so cruel and unjust a regulation. In the year 1709, an act

was passed for improving the act of union with Scotland, and in this it was attempted to extend the law respecting corruption of blood to that country. But this attempt was opposed, as contrary to reason and justice and humanity. In the valuable memoirs which Bishop Burnet had left, this was distinctly stated; and even in the house of lords, the venerable Earl Cowper, and the upright Lord Somers, had not scrupled to recognize the principle, although they had supported the bill on the ground of existing danger—treason being then actually afloat. That act passed into a law, but there was a protest entered on the journals of the house, signed by twenty persons, of whom there were thirteen or fourteen out of the sixteen representative peers of Scotland. It then went down to the house of commons, where the Scotchmen and Englishmen who composed it, and who seldom agreed in any thing, united to oppose it, and added a clause providing an immunity in both countries from the operation of the law of attainder and corruption of blood. In those days the house of lords did not think it wise or prudent to treat with contempt the voice and the wishes of the people of England, expressed through their representatives. They judiciously acquiesced in the clause, under certain modifications, and thus the law stood, making those crimes high treason in Scotland which were so in England, and that forfeiture and corruption of blood should continue until the death of the pretender. By a subsequent statute this provision was in some measure rendered perpetual, the operation of the immunity

immunity being further suspended until after the death of the sons of the pretender. This, however, was not done without considerable opposition; and Lord Hardwicke, who introduced the measure, admitted that it was only to be justified on the ground of then existing circumstances. Those circumstances now existed no more; all the objections which might then have been urged to the measure he proposed were at an end, and it came recommended to their lordships upon every principle of justice as well as of expediency. The opinion of Mr. Justice Blackstone was decidedly in favour of that which he had now ventured to express, although that learned judge quoted, in the course of his discussion, a passage from one of the epistles of Cicero*, and the treatise of Mr. Charles Yorke on the law of forfeiture, both of which were opposed to his own views. It was whimsical enough that neither of those quotations would now be received as authorities against the opinion of our great English jurist, because it was doubted whether the epistle which contained the quotation was really written by Cicero; and Mr. Yorke's treatise was denied to be law. If, however, all the grounds which he had mentioned did not exist, still upon every principle of justice, of humanity, of sound policy, and of prudence, he hoped to induce their lordships to adopt the bill before them. He believed he could prove, and but that the house was already wearied he

would attempt to do so; that the whole course of history showed that the effect of the cruel laws which he wished to see repealed was rather to create than to repress treasons. In a neighbouring country the effect of a confiscation, which had not, indeed, been adopted by any legislative authority, but by an universal revolution, was now felt and seen, and demonstrated upon a large scale what must necessarily be the result of such circumstances. The Bourbons, with all the advantages of their legitimacy, and the other advantages, legitimate or not, which they possessed, found the kingdom over which they ruled in a state of such discord and disaffection, that their utmost efforts were necessary to prevent actual disturbance; and this was produced merely by the struggle and jarring between that part of the nation who had lost their property, and that part who had gained it. It was enough, however, for an English house of lords to know, that the principles of the bill which he had brought in was one which was implanted more strongly in the heart of man than perhaps any other—that the innocent should not be punished for the crimes of the guilty. His lordship concluded by moving the second reading of the bill.

Lord Colchester said, that as the bill before the house went to repeal one which he had submitted to the other house of parliament, and which had been passed 26 years ago, he would trouble their lordships with a few words upon it. With respect to the principle, that he understood to be one which had been recognized and adopted in almost every civilized nation,

* "Nec vero me fugit, quam sit acerbum, parentium scelera filiorum poenis suis. Sed hoc præclare legibus comparatum est, ut caritas liberorum amicos parentes reipublice moderet."—*Cicero Bruto* 12.

and in almost every age. In times of political trouble many men would always be found who would not scruple to risk their own lives upon any hazard which might hold out a sufficient temptation to their ambition, and it was only by involving in the consequences of their doing so interests which were dearer to them than their own, that such security as the general interests of society demanded could be obtained. This principle had, at least, always been acted upon in this country. With respect to the facts connected with the history of this law, he only felt it necessary to observe, that the whole question had come under discussion at the time of the union; that then, and subsequently, it had undergone the examination of many eminent men, all of whom agreed in its political justice and its expediency. Sir M. Foster said, speaking of this statute, it was highly reasonable that such a law should not be suffered to expire. It was the best, if not the only means of preventing the commission of the crimes against which it was directed; and by the strong ties of domestic affection, to arrest the mad career of desperate ambition. If the object of the bill had been to alter the law as it affected some of the minor offences with which attainder was at present coupled, he would not have opposed it; but in its present shape, and applying as it did to high treason, he could not bring himself to approve of it. He therefore moved, as an amendment, that the bill be read that day six months.

The Earl of Roseberry supported the bill.

Lord Melville said, the argu-

ment of the law of attainder and corruption of blood being founded on a breach of one of the articles of the Union, had been overstated. The ancient and common law of Scotland, down to the year 1690, had recognized both those provisions, and for this he had the authority of Baron Hume. If the bill had been limited in its operation, and had only gone to assimilate the law of Scotland to that of England, he should not have opposed it; but he was not prepared to go the length of repealing it altogether in cases of high treason. The bill which had been introduced by Sir S. Romilly in 1814, and in which the offences of petit treason and murder were included, was one which seemed to meet the justice of the subject. He was prepared to consent to such a bill as that, or to one which should restore the operation of the ancient law of Scotland; but he felt obliged to oppose the bill before the house in its present shape, and he should therefore vote for the amendment.

Lord Redesdale supported the amendment.

The Lord Chancellor felt the importance of the measure before the house, and entertaining, as he did, a very sincere respect for the noble lord by whom it was introduced, he regretted that he could not approve of it as it stood. The law of forfeiture and corruption of blood, as applied to cases of high treason, afforded a vast security to the public peace. With respect to other crimes to which the same penalties attached, he was not prepared to say that he thought the law might not be safely and judiciously altered. If their lordships would take the

trouble

trouble to read this bill, as he had done, they would see that it was extremely doubtful whether, under the terms of it, corruption of blood was taken away. Of honours to which it was evidently meant to apply, no mention occurred until the latter end of the bill; and although it was evident that honours were meant to be included, no lawyers would say, that the words "lands, tenements, and hereditaments" (those of the bill) could be made to extend to honours. All such grants of honours as the bill was meant to extend to were a man and his heirs, but still the actual possessor had the entirety of the honour, and for this reason—when it was once forfeited, it passed away altogether. Another objection to the bill also was, that the course of the common law would in some instances be opposed and interfered with; because persons entitled to remainders in tail would, under the operation of this bill, become seized in fee upon the attainder of the tenant, and without the process of common recovery, by which alone an estate-tail could be legally converted into a fee. The bill was defective also, inasmuch as it neither provided for the transmission of chattels, some of which were not less valuable than estates in fee, nor of goods which, in the present state of things, in a commercial country abounding in persons of wealth, was a matter of no less importance. These were, however, only details which might be easily obviated. With respect to the principle of the law of attainder and corruption of blood, he thought, when it was considered how extensively ruinous the consequences of treasonable practices might be to the peace

and the very existence of families, almost out of number, there was no reason to complain if some portion of the punishment of a defeated treason was made to fall upon the families of those by whom it had been set on foot. He saw how difficult it would be to restore to Scotland the law as it had existed before the union; but he thought the best course that could be adopted would be, to bring in another bill. If this should, however, go into a committee, he should be obliged to propose that high treason should be left out, and that petit treason and murder should alone be the subjects of the proposed alterations. Unless this were done, he should support the amendment.

Lord Holland and Lord Colchester explained, after which the house divided—For the amendment, 15; against it, 12: majority, 3.

House of Commons, May 26.—The Chancellor of the Exchequer brought down the following message from the crown, which was read in due form by the speaker:

"That whereas, since parliament had made provision for the due support of her royal highness the Duchess of Kent, and his royal highness Ernest Augustus, Duke of Cumberland, the Princess Alexandrina Victoria, daughter of his late royal highness the Duke of Kent, and Prince George Frederick Alexander Charles Ernest Augustus, son of his royal highness the Duke of Cumberland, had attained such age as that it became proper provision should be made for their maintenance and education. That his Majesty, being desirous to grant an annuity to her royal highness the Duchess of Kent,

Kent, and to his royal highness the Duke of Cumberland, for that purpose, recommended the subject to the consideration of the house of commons, and relied upon their attachment."

The message having been read, *The Chancellor of the Exchequer* moved that it should be taken into consideration to-morrow.

Mr. John Smith, in the absence of Sir James Macintosh, presented a petition from Mr. Bernard Coile, complaining of great sufferings and oppression endured by him about the year 1796, and afterwards in the years 1803 and 1804, in Ireland. This petition, which was mentioned in parliament during the last session, but deferred [its consideration] to give time for inquiry, alleged that the petitioner, being persecuted by the orange faction as a reputed catholic, had, on several occasions, been improperly arrested and committed to prison; and then went on to give some extraordinary descriptions of the treatment which he had suffered in his confinement. One of the paragraphs containing these accusations ran thus, Mr. Coile being then in gaol in Dublin:—"Two sentinels were placed under the windows of petitioner, with orders given, in petitioner's hearing, to prevent his speaking, or being spoken to by any person; and to fire on the parties, should the attempt be made. Your petitioner's health at this time was in a most delicate state; but life itself became hourly endangered by the brutal scenes and treatment which he was compelled either to witness or endure. On one occasion, after the execution and beheading of some unfortunate prisoners, the hangman, with his

knife reeking with the blood of the unhappy culprits, entered the kitchen where petitioner's dinner was preparing, and with his bloody knife cut the vegetables preparing for petitioner's use. This incident had such an effect on petitioner, that for several weeks no solid food would remain on his stomach." Another charge was to this effect: "Within the space of a few weeks, twenty-one persons were executed at Newgate and other streets in the city, whose heads and bodies were brought into the gaol, stripped, and laid opposite your petitioner's door. In that state of nudity the bodies lay until disposed of to the surviving relatives, who, being for the most part poor, were unable to make up the purchase-money of the corpse, until it fell into a state of putrefaction under petitioner's view. When the hangman's harvest was reaped, he having received the sum of five guineas for the execution of each person, he was placed with a female companion beside your petitioner's room, as a retaliation for his insolence in daring to complain of such heinousness." After this, Mr. Coile was removed to Kilmaham gaol, where he again speaks of the hardships to which he was subjected:—"In this place, for the completion of his misery, it was his fate to be placed under the superintendence of Dr. Trevor, still living; who, in conjunction with a magistrate named Bell, immediately on coming under their inspection, deprived petitioner, amongst other matters, of a seal of Irish gold, bearing the motto of 'Erin go bragh.' Trevor removed your petitioner to the felons' side of the prison, and placed him in a cell (nine feet by

six), which at that moment was tenanted by a man of the name of Doyle, labouring under a malignant fever, for the purpose, as your petitioner believes, of infecting petitioner with the distemper; and at the same time he was loaded with 56 pounds' weight of iron on his body and limbs; and in order to cover such murderous designs, it was intimated in certain newspapers of the day, that your petitioner was insane." The petitioner concluded by declaring, that both his health and his fortune, amounting at one time to 40,000*l.*, had been destroyed by the persecutions which he had suffered; and prayed investigation and reparation from the house.

Mr. Goulburn contended, that the case was not one for the interference of parliament. The grievances complained of were 30 years old, and almost all the persons stated to have been concerned in them were dead. If *Mr. Coile* had been injured, the law had been open to him, and he ought to have availed himself of it at an earlier period. A commission, upon the motion of *Mr. Sheridan*, had sat in the year 1808, for the investigation of cases like the present; but before that commission, the petitioner had not thought fit to prosecute his claim. He concluded by protesting against the general principle of bringing charges of this kind against public officers, after such a lapse of time, when so many opportunities had occurred of preferring them before.

Mr. Abercromby would admit, that after such a length of time, it would be difficult to enter upon such complaints as the present. At the same time he must say, that after having minutely examined a

great many of the publications of the period in question, he felt convinced that no man could be treated with greater oppression than *Mr. Coile* was. He was satisfied that the cause of the severity exercised towards him was his having prosecuted to conviction a magistrate in whose favour the government of that day most improperly interfered to screen him from punishment. Without at all pledging himself for the accuracy of all the facts which *Mr. Coile* stated, he thought there was abundant proofs that he had been most cruelly dealt with.

Mr. Peel objected to entering into an examination of circumstances which had occurred so long back. Some of the petitioner's charges had been already gone into, and his statements disproved.

Mr. C. H. Hutchinson conceived that the proofs were undeniable of the cruelty exercised towards the petitioner, and he called on the right hon. secretary for Ireland to contradict, if he could, the facts which the petition contained. He (*Mr. Hutchinson*) knew several instances in which respectable individuals had been at that period taken into custody, and kept imprisoned, some in hulks, and others in prisons on land, for many weeks, and then discharged without trial or any explanation of the conduct pursued towards them, than that government suspected them. He thought it would not redound to the credit of ministers to allow this case to go without serious inquiry.

The petition was then brought up and read. — On the question that it be printed,

Mr.

Mr. John Smith said, that the whole seventeen state prisoners confined at that period concurred in one unanimous statement of the cruelty of *Dr. Trevor's* conduct. He repeated his hope that government would make some inquiries on the subject.

The petition was ordered to be printed.

The *Serjeant-at-Arms* having reported that he had *Robert Poer Trench Pilkington* in custody, pursuant to an order of the house,

Mr. Peel moved that he be called to the bar.

Mr. Pilkington was then placed at the bar.

The *Speaker*. — *Robert Poer Trench Pilkington*, you have been examined before a committee of this house, and there acknowledged yourself the author of a petition, purporting to be from the protestant inhabitants of *Ballinasloe*, in favour of catholic emancipation; and this house has resolved, on the report of that committee, that you, having been proved to be the author of such counterfeit petitions, and having forged the signatures thereto, and having sent it as a genuine petition to a member of this house, you have been guilty of a high breach of the privilege of the house. You have now been called to the bar, in order that if you have any thing to say on the subject of your offence, which may affect the decision to which the house may come respecting you, you should state it. If, therefore, you have any thing to offer in extenuation of your conduct, the house is now ready to hear you.

Mr. Pilkington. — I have only to say, that I confess myself guilty of a very foolish act. As

the only reparation in my power, I hastened to obey the summons of the committee, and there to confess myself the sole author of the petition, and to assure the committee, that no person whatever but myself was in any way connected with the petition. I am extremely sorry for what I have done, and am ready to submit myself to the decision of the house on my conduct. I have only to add, that since I have been in custody, I have been in an infirm state of health so as to require medical assistance.

The prisoner was then ordered from the bar.

Mr. Peel said, he was at all times disposed to support the privileges of the house, and this was a case in which they ought to be asserted: but at the same time he did hope the house would concur with him in thinking, that the readiness and candour with which the person who had just left their bar had come forward and confessed himself the author of the petition in question, should be taken as such an extenuation of his fault as might induce the house to relax the severity with which it might otherwise visit it. His conduct, it was true, involved a high breach of the privileges of the house, and was calculated to have this bad effect — that it would lessen the confidence with which members would receive petitions coming from Ireland, and other distant parts of the empire; but, looking at all the circumstances of this case, at the individual's state of health, and at the readiness of his confession, he thought that, without being drawn into precedent for future cases, the privilege of parliament would be sufficiently

sufficiently asserted by allowing the prisoner to remain in custody, and to-morrow he would move that he be discharged on Monday.

Sir J. Newport concurred in the view taken of the case by the right hon. gentleman. The person at the bar was a protestant, and was in no way connected with those to whose claims the petition referred. Under these circumstances, and under that of the state of health of the person in custody, he would fully concur in the motion of the right hon. gentleman, and would esteem it as a personal favour if the house would relax the severity of its punishment on this occasion.

Mr. Brougham would suggest, that as it was not the practice of the house of commons to commit for a certain time—a practice peculiar only to the other house—it would be better to let the prisoner stand in custody until further orders. The right hon. gentleman might then move for his discharge to-morrow or Monday, if he thought proper.

Mr. Pilkington was kept in custody till Monday.

Mr. Brougham moved for leave to bring in a bill to incorporate a college or university in the city of London. The object of this university was to bring the advantage of education within the reach of those who could not afford to send their children to the universities of Oxford or Cambridge, and who were averse to sending their children from their own roof, for the benefit of improvement. He assured the house that it was not the intention of the promoters of this bill to throw any the slightest imputation on the conduct, the ac-

quirements, the capacity, the talents, or the principles of those who devoted their time to the instruction of youth in those two learned establishments. That was so far from being the case, that many of the promoters of this bill were distinguished ornaments of the two universities. He then moved for leave to bring in a bill to enable certain individuals to incorporate a college or university in the neighbourhood of London.

Mr. Peel acquiesced in the motion, but said that in so doing he reserved the declaration of his opinion till a future stage of the bill. As he understood that no discussion of its merits was to take place now, he merely rose to guard against the probability of his being supposed to favour the bill because he had not opposed it in its present stage.

Leave was then given to bring in the bill.

House of Commons, May 27.—The metropolitan university bill was read a first time.

The house set in committee upon his Majesty's message, recommending grants of 6,000*l.* per annum each to be made to the Duchess of Kent and to the Duke of Cumberland, and upon the judges' salaries bill.

House of Commons, May 31.—*Mr. Williams* presented several petitions, complaining of delays in the court of chancery, and in presenting them went very particularly into the expensive and tedious practice of that court, and the insufficiency of the commission appointed to inquire into it. He was supported by *Mr. Denison*, *Mr. John Smith*, *Mr. Ellice*, *Mr. M. A. Taylor*, and *Mr.*

Mr. Brougham, and opposed by Mr. Peel and the Solicitor General.

The cotton mills regulation bill

went through a committee.—The bills for the grants to the Duke of Cumberland and the Duchess of Kent were read a first time.

CHAPTER V.

Unitarian Marriages.—London College.—Quarantine Laws.—Mauritius Trade.—Canada Corn.—London Tithes.—Burning of Hindoo Widows.—Colonial Intercourse.—Grant to the Duke of Cumberland.—Merchant Laws.—Writs of Error.—Duty on Soap and Candles.—Discipline of the Navy.—Irish chartered Schools.—Lord Charles Somerset.—Petition from Jamaica.—Buckingham House.—The Judges' Salaries.—Supplies.—Customs—Consolidations.—Borough of West Loo.—Shooting and Stabbing (Scotch) Bill.—Distillery Bill.—Rev. Mr. Shrewsbury.—Combination Laws.—Ships' Registry.—Dr. Frie.—Mr. Kenrick.—Bubble Act Repeal.—Appellate Jurisdiction.—Deccan Prize Money.—South America.—His Majesty's Speech and Prorogation.

HOUSE of Lords, June 3.—*The Marquis of Lansdown* rose to move the second reading of the unitarian marriage bill. He reminded their lordships, that last year he had the honour to propose to them a bill to the same effect as the present, which had this session been brought up from the commons. That bill had been thrown out on the second reading; but now a bill for the same object had not only been agreed to by the other house of parliament, but had passed that house without a division on any of its stages. The present bill differed in some respects from that which he had introduced last session. Much pains had been taken to improve it. Ministers of the established church had given their advice, and lent their assistance in framing it. He did not state this fact with the view of thereby obtaining any improper influence over the minds of their lordships, but to induce

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those who were disposed to object to it to consider the subject well before they opposed a measure which came before them under such a sanction, and which was fortified by the approbation of the house of commons. The bill related to a grievance not very difficult of remedy, but not the less felt by those whom it affected. The object of the measure was to remove the difficulties which stood in the way of the performance of the marriage ceremony with regard to certain individuals. That ceremony should be open to persons of all opinions; but from the manner in which it had been hitherto treated, it would appear that giving the means of marriage was regarded as a boon. Every individual, however, whatever his opinions might be, was entitled to have all obstacles removed which tended to prevent him from celebrating, in what he considered the most solemn manner, that

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ceremony which formed the most sacred of all ties. Every unnecessary restriction and regulation which affected particular classes of persons in regard to such an object as marriage, ought surely to be done way without delay; and on this subject it was their lordships' duty to give every relief which was consistent with the safety of the state. Only those regulations which appeared to be called for by necessity ought to be maintained. The different regulations adopted in this and other countries resolved themselves into two kinds—namely, civil and religious. With regard to the former, in as far as related to matters of police, the object of the bill was to maintain every civil right. The persons for whose benefit it was introduced were ready to submit to any civil regulation on the subject of marriage which their lordships might think fit to impose. The religious part of the question, their lordships would perceive, was totally distinct from the civil; and all that the bill proposed to do, was to provide against the depreciation of the sacred ceremony of marriage by regulations to which unitarians could not conscientiously submit. To make the legality of so solemn a tie as marriage depend upon declaring what the parties did not believe to be truth, was to invite them to do that which their lordships, who were sensible of the sacredness of the obligation entered into, must regard as highly improper. According to the former bill, the marriage ceremony was to be celebrated by the clergy of the established church. That mode had, however, been thought ob-

jectionable, and it was therefore provided by the present bill that the ceremony should be carried into effect by the unitarian ministers in their own congregations. When it was considered that the ceremony of marriage was intended for the benefit of the whole community, it would be proper to perform it, as far as possible, in the same manner for all classes; but as conscientious scruples about performing the ceremony to unitarians were known to exist in the minds of many ministers of the church, this mode had been abandoned. In the same way some of the ministers of the established church had objected to registering the marriages of persons who were united by a ceremony inconsistent with the principles of the church; and to obviate this difficulty, the unitarians also took upon themselves the trouble of registering their own marriages. In fact, the bill professed to do, and did nothing more than afford relief from regulations inconsistent with the conscientious scruples of individuals. None of their lordships would say that the opinions of the persons whom the bill proposed to relieve were not tolerated by law; and being so, the law ought to protect them, and facilitate to them the means of duly forming the most sacred of all the relations of society. It would, perhaps, be asked, why the persons for whose benefit the bill was framed were so scrupulous? Some, he was aware, might make a compromise with conscience, and be able to satisfy themselves of the propriety of every opinion that was consistent with their temporal interests: but their lordships surely

surely would not encourage a species of reasoning which led to a disregard of the truth of the most solemn declarations. Their lordships ought not to discountenance or despise scruples which were opposed to a practice inconsistent with morality and religion. Persons ought not to be forced to enter the temple of God with equivocation on their tongues, nor made to subscribe to what they did not believe to be true. Wherever sincere and conscientious scruples existed, they ought to be met half-way. On these grounds, he proposed to their lordships the second reading of this bill.

The Archbishop of Canterbury had voted for the bill of last session, and intended to give his support to the present, because its tendency was equally to relieve unitarians and ministers of the established church. The scruples of the unitarians he believed to be sincere; but he was chiefly anxious to remove, by this bill or some other, the difficulties in which ministers of the church were involved by unitarian marriages. The bill, he thought, might be amended; and for that purpose he would propose some clauses in the committee. By this or some other measure, he wished to do away with that unhallowed equivocation which, sanctioned by law, now took place at the altar.

The Bishop of Bath and Wells, having stated his sentiments at some length upon this subject when it was before the house last year, would trouble their lordships with very few observations upon it at present. He felt himself bound, however, to state as briefly as possible the reasons which impelled him to oppose this bill. His

objection lay to the principle of the measure. He did not see on what grounds marriage, according to the church of England, was to be considered a grievance to the unitarians. First, what were they called upon to subscribe? Merely the parties' names. He admitted, however, that they were obliged to make a declaration "in the name of the Father, and of the Son, and of the Holy Ghost:" but these very words were used in their own printed form of prayer. The words used by the unitarians in their ceremony of baptism were these—"I baptize thee in the name of the Father, Son, and Holy Ghost." They therefore could not justly object to their own form of prayer. He also admitted that the clergyman who performed the ceremony of marriage gave to the parties benediction, by praying to God the Father, God the Son, and God the Holy Ghost, to bless them. Now, if they did not think that they were the better for this, surely they could not feel themselves the worse for it. He defended the ministers of the church of England from the charge of equivocation in the performance of this ceremony for the unitarians. There was no ground whatever for such a charge, for the word equivocation implied saying one thing and meaning another, for the purpose of deception. Now there was no deception here, because the minister knew beforehand the opinions of the unitarian, and the unitarian knew those of the minister, so that neither party was deceiving or deceived. He therefore repelled with indignation the charge brought against the ministers of the church; they were neither guilty of equivocation nor pious fraud. He denied

that the unitarians had any just grounds for saying that their consciences were violated. Occasions were continually occurring when points of doctrine laid down by ministers of the church were disapproved of by some individuals, who said that they would not again go to church to hear them; but that was no reason why the church of England should not lay down the pure doctrines of christianity. If the minister of the gospel did not propound the true principles of faith in Christ Jesus, how else was the gainsayer to be converted? He contended that if this privilege were ceded to the unitarians, it must also be granted to every other sect and community, however erroneous their opinions might be. The doctrine of the unitarians gave them no right to be looked upon as a favoured sect; yet this concession would be calculated to give a spread to the opinions of that sect; although by denying the divinity of Christ, they laid the axe to the root of the tree of christianity itself. For these reasons he moved, as an amendment, that the bill be read a second time that day three months.

The Bishop of Lichfield and Coventry considered the opinions of the unitarians as utterly destitute of any foundation; and grossly erroneous as they were, he must believe them to affect their conduct; but still he looked upon their present complaint as founded on fair grounds, and he conceived the bill entitled to their lordships' support, as being calculated to deliver the church of England from the scandalous profanation of a compromise at the altar. He was a general friend to toleration; although he did not wish to give any

encouragement to those sectaries; but he did not conceive that the present bill would operate as any encouragement to them. His lordship concluded by supporting the original motion.

The Lord Chancellor would be very glad if any noble lord would inform him what he meant by the word "unitarian:" for if a unitarian were a person who denied the divinity of Christ, their lordships, before they could pass this bill, must first pass an act rendering it lawful for him so to do. His lordship then referred to the act of William to show that the denial of the divinity of our Saviour was declared to be a heinous crime, which subjected the party guilty of it to severe punishment. The act of toleration did not repeal the law as it had stood before; it only excepted the parties in some cases from the consequences of those crimes which were crimes at common law before the passing of that act. No man who should propose to repeal that law, could feel as an Englishman or a christian: but if it was a crime at common law to deny the divinity of Christ, their lordships must begin with repealing the common law, and not with an act of parliament in the teeth of it. The Jews and the quakers had marriage ceremonies of their own, and he should not be sorry to see a bill introduced, declaring their marriages to be valid; for although they were excepted in Lord Hardwicke's act, yet in a case which had lately come before him, considerable doubts had been raised as to the validity of the quakers' marriages. He considered the doctrines of the unitarians as calculated to work an essential mis-

chief in this country, and he called upon the house not to sanction that which the judges of Westminster-hall must deny in judgment.

The *Earl of Liverpool* felt great pain in differing from his noble and learned friend on the wool-sack, particularly on such a question as this; but, entertaining a strong opinion upon the subject, he should not be discharging his duty if he did not state the grounds of that opinion. His noble and learned friend had stated at some length the principles of the common law as respected this subject, and said, that notwithstanding the act of toleration, the common law was still in force. But the noble and learned lord, towards the conclusion of his speech, furnished an argument against himself; for what did he admit? An understanding that jews and quakers might lawfully marry according to the rights of their own communions; for they were excepted in Lord Hardwicke's act. Now, could any man assert that the doctrines of the unitarians were more at variance with the principles of christianity than those of the jews were? The unitarians denied the divinity of Christ; but the jews denied the truth of christianity altogether—they blasphemed and crucified him whom we adored. The same argument would apply to mahometans and various other persuasions, if the members of them were sufficiently numerous in this country. But how did the law stand at present? In some cases, marriage according to the rites of the church of England was not necessary even amongst members of the church of England itself: for they might go to France

and be married by a Roman-catholic, or to Scotland and be married by a presbyterian, and in both cases the marriage was good and binding. He believed that if, in a country where a priest could not be had, a marriage was performed by a civil person, that marriage was also valid by law; and the reason was, that every possible facility might be given to marriage, in order to prevent immorality. He would now advert to the ground of expediency. The strongest argument which he had heard against the bill, was that which had been urged by a right reverend prelate, who said, if the concession were to be made to the unitarians, why not extend it to every other sect? The answer was, because it was impracticable. When a bill had been brought in for that purpose by a noble lord, he (*Lord Liverpool*) voted for it; but he afterwards stated, that he could not give it his support in the committee, having been convinced, by the speech of a noble friend of his, that it would be impossible to frame a general act to meet the object in view. They had an example for the present measure in the case of the quakers. He thought, that where there was a sincere and conscientious objection entertained, it ought to be respected. A jew could not, a quaker could not, a unitarian could not, submit to have the ceremony performed by the church of England; or, if he could, it was only by casting a slur on that church; for their lordships constantly saw in the papers statements of protests which must have filled them with disgust. The church had a right, and it was her duty, to compel marriage according to her

own rites, amongst her own members; but as she did not assume to be an infallible church, he did not see why she should look with any jealousy on the doctrines of those who were of a different communion. He therefore saw no objection to the present bill, and on these grounds he would give it his support.

The *Bishop of Chester* would trouble the house with a very few observations. There could be no question as to the importance of this subject to the unitarians. If they were sincere in their belief (as he had no doubt they were) against the doctrine of the Trinity, and if they really considered that by submitting to the ceremony of marriage in the church of England, they were brought to worship the Trinity, he certainly thought them entitled to relief. While the noble marquis opposite defended the sincerity of the unitarians, he had thought proper to cast an unmerited imputation on the body of the English clergy. ("No," from *Lord Lansdown*.) He certainly understood his lordship to allude to them.

The *Marquis of Lansdown* said, he had not made any such allusion.

The *Bishop of Chester* was ready to admit the sincerity of the unitarians, but they were spurred on to their present complaint by the spears of a sect who called themselves freethinking christians. Here his lordship read an extract from the *Freethinking Christian's Magazine*, in which the writer animadverted upon the marriages of the unitarians by ministers of the established church. As, however, there was no very great grievance imposed upon the consciences of

the unitarians, he thought that, after having submitted so long, they might submit for one year longer to the privation of what he considered a right. He agreed with the right rev. prelate (the *Bishop of Lichfield*) that the present measure would afford not only relief to the unitarians, but also to the clergy of the church of England; and he would therefore put the former on the same footing with the quakers, and all the other dissenters, before the passing of the marriage act. He was not for imposing the doctrine or the discipline of the church of England upon those who could not conscientiously entertain them; but the unitarians were not prepared at present to give the necessary securities against clandestineness, and, consequently, he was impelled to oppose this bill. He had no objection to give the unitarians the same privilege which was enjoyed by jews and quakers, but nothing further; at the same time, that he would provide effectual barriers against clandestine marriages.

Lord Redesdale opposed the bill.

Lord Calthorpe supported the bill, on the ground that it was a measure of relief to the church rather than to the unitarians. He also contended, that it was unfair to place the unitarians on the same footing as any other dissenters, because, to other dissenters who did not, like the unitarians, deny the doctrine of the Trinity, the marriage ceremony was no hardship, but it was to unitarians a very great one. He would not attempt to impugn the legal argument of the noble and learned lord on the woolsack, but the present

sent law, admitting it to be correctly stated by the noble and learned lord, afforded, in his mind, a strong reason for passing the bill. The church could not better promote her true interests than by conforming herself to the increasing knowledge and genius of the age. Nothing could be more injurious to her than to place her in opposition to liberal ideas. The church was able to rely on her own strength, and might, without fear, appeal to the augmented learning and assiduity of her clergy, to the increased number of her churches, and to the two great universities, which year after year sent forth distinguished champions to uphold her rank and maintain her security. In conclusion he supported the measure, because he believed that it would add to the dignity and character of the church of England.

After a few words from the *Marquis of Lansdown*, in which his lordship denied that the sect of freethinking christians had had any part in bringing forward the present bill, the house divided. The numbers appeared—for the second reading—content, 32; proxies, 20—52; not content, 31; proxies, 25—56; majority against the bill, 4.

The second reading of the county courts bill was postponed to Thursday next.—Adjourned at eight o'clock.

House of Commons, June 3.—*Mr. Brougham*, in moving for leave to withdraw the London college bill, which stood for a second reading on Monday, and substituting in its stead a notice, that he would on Tuesday present a petition for leave to bring in a private bill for the foundation of

a London college on a comprehensive plan of education, begged to explain the reasons which influenced him in taking this course of proceeding. The alterations from a public to a private bill had become necessary, owing to some regulations of the house which affected such matters, and the alteration would have also the recommendation of diminishing the necessity of discussion upon the bill. The greatest misapprehensions had gone forth respecting the measure, and it was incumbent upon him to explain both what it was not and what it really was. In the first place, the terms of the bill were to incorporate a company, with power to sue and be sued as a corporate body, and not to be a joint stock concern in any other quality than as having the power to hold lands and issue shares, and make such executive arrangements as the case required. The bill was not intended to convey any individual power of withdrawing from the responsibility incurred by their personal undertaking, so as to come within the exceptions taken to other associations. With respect to the measure itself, the promoters of it had no intention of applying for any exclusive privileges, of creating fellowships, conferring degrees, or seeking those honours which for a very long time had been considered as the exclusive privilege of the two great universities. The plain object was, indeed, this—that as there were notoriously hundreds of thousands of persons in London who were deprived by a variety of causes of giving their children the benefit of the collegiate education, as at present established, both by dis-

tance from the spot as well as expense, it was expedient to provide the means of their acquiring such education for their families, in the only way in which it could be made available for their habits and situation of life. There were some who disliked sending their children from home to a college, others who had not the means of sending their children to a distance for purposes of education. Indeed, the present expense of a university education was a great objection to numbers—it could not be had at Oxford or Cambridge for less (and that was a very low average) than 200*l.* a year, accompanied, too, with all the collateral expenses of such a system, which often involved worse than mere pecuniary consequences in their train. He spoke from the very highest authority when he declared that the expense and dissipation consequent upon it at the two great universities was so great, that if not checked it would produce the greatest evils to society. To such a pitch had this system of expense been carried, that at this moment the greatest pains were taking to check it at the universities. He understood, too, that other great improvements were in progress at the two universities, and that a better system of education was in progress at both. The object of his bill was, in fact, to enable the people of this great metropolis to bring home to their own doors a good college system of education, so as to include those who did not like (whatever were their means) to send their children to a distance, and also those whose restricted means did not enable them to encounter the expense. He wished

to have established on the spot a college for teaching the sciences, literature, and the arts; and the student's expenditure would at the outset be only three guineas for each of those branches, and one guinea admission, making the whole expense of his education cost ten guineas a year only, instead of 180*l.* or 200*l.* a year, as at Oxford. In these branches it was not intended that the professors should have sinecures, for their general salaries were not to exceed from 80*l.* to 100*l.* a year, except in the particular case of the oriental professorship, and perhaps one other; and they were to depend mainly upon the successful progress of the business of the school, according to a suitable arrangement which would be provided for the purpose. They were not to have houses, nor were they to be allowed to take boarders. One great result of this new college would be, the formation, on cheap terms, of a good medical school. All experience had shown that this could only be had in the vicinity of a large hospital; and where could that be so well provided as in a great metropolis? They might have it perhaps in Liverpool, Bristol, or Manchester, but in London only could sufficient means be found of rendering it more generally useful. It was, therefore, desirable that the site of the new college should be within twenty minutes' walk of one of their great hospitals. This would afford a peculiar advantage to naval and military professional students, and also to the great societies of mechanics which were so widely and usefully spreading throughout the country, more particularly those of the metropolis.

The

The present was, therefore, the time for taking advantage of the general desire for education, and affording the facilities for which a college in the metropolis was calculated. In the formation of this establishment it was intended to take the utmost care to make its benefits as comprehensive as possible; there was to be no religious test which could affect any class of churchmen or dissenters, nor was there to be any theological lectures or course of education of that kind, it being considered that the two great universities, and the seminaries for the religious education of dissenters, were better adapted for such a purpose. In fact, this was to be the only branch of education not included in the new plan. It was proposed that the government of the college should be vested in a governor, or chairman, or some such officer, and nineteen other directors, with other proper officers, to whom the management of discipline was to be intrusted. He hoped this explanation would remove the many mistakes which were felt respecting the object of the bill, for which he meant to present a petition for leave to bring in on Tuesday, as a private bill, and not a public one, as he had at first intended.

Mr. M. A. Taylor defended the system of education which was established at the university of Oxford, with which he had been for more than forty years acquainted, and insisted that they had made the utmost strides to improve it, according to the growing lights of the times.

Mr. Brougham said, he had expressly stated that fact. All he had disparaged the present system

for was in the strides to expense and dissipation which had attended it.

Mr. M. A. Taylor said, that he was in the occasional habit of going to Oxford, and he knew that the discipline of the young men there was unexampled, and could not be exceeded. Indeed, every thing was done which discipline, science, and literature could accomplish. Habits of reading and study, formerly unknown, were established in the colleges. Noblemen and gentlemen of rank now commonly took real degrees of M. A.; whereas, formerly, persons of their rank never thought of taking any but honorary degrees. A great many foolish notions had got abroad about the idleness and dissipation of the universities. Whatever might be the vulgar impression, idleness did not prevail there. If the house would compare the number of scholars entered, with the number of degrees obtained, it would be discovered that there could be very few who did not obtain those honours. As to the bill, he felt sure that all the liberal views of his honourable and learned friend must fail. Without the discipline of a higher authority, and the constant examinations which took place at the universities, it would be in vain to expect much progress from the students.

Mr. Brougham again denied having imputed any fault to the discipline or science of the universities, for their improvements in which, on the contrary, he had very much praised them. What he had urged upon the vicious consequences of expense among the students, he had derived from the highest authorities in the universities.

versities. This institution was not intended in any way to rival those establishments. He rather expected, that by rendering the thirst for scientific knowledge, as it were, epidemic, among a totally different class, that more property would be sent to the universities in consequence. Such was not his expectation only, but also that of the heads of those institutions with whom he had communicated, and of the fellows and past fellows of colleges, who constituted four out of five of the committee.

The order was discharged, and the notice stood for Tuesday.

The order of the day for the third reading of the quarantine laws bill was read.

Mr. C. Grant rose to correct a very strange misapprehension which had gone forth, as if it had been the design of the committee of the framers of this bill, and of the bill itself, to do away entirely with the precautionary system of the quarantine laws. Those who so thought and argued could have read neither the bill nor the report upon which it was founded. The right hon. gentleman went on to show from the report and the bearing of the evidence, that it never had been the design of government to relax the senatory principle of the quarantine laws, but, on the contrary, to strengthen it by taking away the inoperative capital penalties, and substituting others which were likely to secure the efficiency of the laws. It had been recommended in the committee, whose investigations had been so frequently made the subject of discussion in that house, that goods from the plague countries should perform quarantine of 21 days after being landed at the

lazaretto. The conclusion at which the whole of the evidence taken before the committee seemed to point, was the same as the recommendation of the most experienced practitioners—namely, the propriety of reducing the number of days under the existing law devoted to quarantine. It would seem, therefore, upon the whole, and even according to the opinions of those who were most apprehensive of contagion, that this important principle was established—namely, that in respect to ships arriving in the ports of this kingdom from countries infected with the plague, the number of quarantine days might properly be reduced. In regard to clean bills of health, it was not necessary to detain the house on that subject. He thought it would be sufficient that vessels arriving with clean bills should be visited by proper officers, who would report to the privy council; and upon favourable answers, which would be received by return of post, such vessels might be admitted. In all arrangements of the kind the object of government would be, that the modifications to be adopted should not exceed the modifications recommended by the medical practitioners. The king in council was already even, under the existing system, vested with large discretionary powers in regard to the quarantine laws. The privy council might declare the trade with other countries, besides those already included, to be subject to the regulations of quarantine; and it might by its order remove that liability from the trades at present subject to it. There was one other object which it was necessary to mention as one that had been

been maturely considered by the government; and that was the appointment of some experienced and able medical inspector, whose duty it would be to overlook all the reports made to the privy council, and to advise them thereon. It would be desirable, also, that he should inspect all the quarantine stations.

Sir Isaac Coffin, after complimenting the right hon. gentleman on the clear and explicit manner in which he had stated the grounds of this bill to the house, said, his principal object in rising now was to do away with an idea that had prevailed in some quarters as to the plague having never manifested itself to the northward of Cape Finisterre. Every man at all acquainted with the history of the plague must know that it had made its appearance in England no less than four times, and was supposed to have swept away altogether 116,000 persons in such visitations. His own apprehensions about the possibility of its re-appearance in these parts of the world had been more than once seriously excited. The gallant admiral then read an extract from the letter of a physician, who had been eight years with our army in Egypt, in which the writer stated that a friend of his, who was a strong non-contagionist, had thought proper during his sojourn at Malta to go and shut himself up in the little island of Goza, when the plague had declared itself there. In a few days his temerity cost him his life. He (*Sir I. Coffin*) was only surprised that the same fate did not overtake *Dr. M'Lean*, who ventured to betake himself to, and reside in, the pest-house at Constantinople,

among the plague patients confined there. In a very little time all the assistants he had caused to be hired at two dollars *per diem* perished of the infection, and every one of the patients too, leaving the doctor the only survivor of the whole company.

Mr. Canning felt greatly relieved by the speech with which his right hon. friend had just obliged the house. He was very anxious that the house should understand that the doctrine of non-contagion had really not received any countenance from the most experienced and practical men. The mischief which had been produced by the unreserved and confident declarations that had been made by the disciples of this doctrine, was positively much greater than perhaps those gentlemen were aware of. Already at Marseilles, at Genoa, a much longer quarantine was imposed on British shipping, than on the shipping of any other European nation. At Naples, in addition to the usual form of quarantine prevailing there, they had imposed a term of 21 days upon British vessels that had quitted Great Britain even since the gentlemen who were such determined non-contagionists had promulgated in all places their opinions. Under these circumstances, he certainly did wish that hon. gentlemen would be pleased to keep such opinions a little more to themselves; or if they would continue their experiments, he heartily trusted that they would be tried and exhibited, as such experiments anciently were, in *corpore vili*, rather than in a manner to prejudice the general welfare of the community. He was happy to say, however, that the

public appeared to have no disposition to concur in the theories to which he had alluded.

Mr. Hume quite agreed that the mischief to which the right hon. gentleman had just adverted had been considerable, and he thought it was but right that ministers should do every thing in their power to contradict the opinion that had gone abroad, that our present quarantine laws were about to be repealed. But he had to complain that this declaration was not made, as it should have been, when the present bill was first introduced by the government. He could not help observing on the lecture which had been read by the right hon. gentleman, however, to the hon. member for Westminster, and others who thought with that hon. gent. on the subject of contagion; in respect to whom the right hon. secretary for foreign affairs had expressed so strong a wish that they would keep their opinions to themselves. Now he (*Mr. Hume*) was himself by no means satisfied that the principle of contagion did exist to the degree in which it had been long supposed to exist; and at any rate he believed that the discussion of the question could not be productive of any harm. With regard to the appointment of that medical officer—the interpreter or superintendant mentioned by the right hon. gent. (*Mr. Grant*)—he thought it ought not to be left to the discretion, or put in the power of any one man to replace, in this respect, that system of examination and inquiry which had gone on so well for so long a time.

Mr. Huskisson felt assured that if the hon. gent. would only think of the responsibility which attached

to the board of trade, when left to decide upon the case of every vessel arriving with either a foul or a suspected bill of health, he would see that it was desirable that they should have the assistance of some such officer, possessing the advantage of having visited countries where the plague raged, during its visitations; and where observation and judgment, therefore, in that matter might guide the board in all questions of quarantine. At present there was no person attached to the board of trade who had ever witnessed the ravages of plague at all. For his own part, he could only say that he thought this sort of appointment a most important object, inasmuch as there were no cases that he felt to be more difficult, or experienced greater hesitation in deciding upon, than cases of quarantine. He had always endeavoured, in respect of them, to act upon the safe side; and that was, to follow the belief which the law of this country recognized—that the plague was capable of being propagated by contagion. As to the objection taken by the hon. gentleman (*Mr. Hume*), that ministers should have made the declarations which the right hon. gentleman (*Mr. Grant*) had made to-night upon an earlier occasion, the fact was, the right hon. gent. had in the very first instance stated the principle of the present measure. He (*Mr. Huskisson*) had seen the most idle reports in print about the intentions of government in respect of bills of health; and he was obliged to concur with his right hon. friend, that the most serious mischief was occasioned by such means; and that they who professed the doctrine

trine of non-contagion, although they were at perfect liberty to publish their theories in the usual course of publication, had yet no right to propound them in places and under circumstances where they might be erroneously supposed to have a certain degree of sanction from the legislature. He had seen it stated in the newspapers lately, that a dangerous case had declared itself in the lazaretto at Sheerness; whereas, in fact, every one of the persons in or about that establishment had been strictly examined, and was found to be in perfect health. This report also had, as he had reason to believe, done us a great deal of mischief abroad.

Mr. Denman, alluding to the opinions and evidence of *Dr. Baillie*, examined in 1819, stated that it appeared to be the doctor's belief, as that was to be collected from papers in the possession of his brother-in-law, that it would be unsafe to repeal the existing laws of quarantine.

After a few technical amendments, the bill was read a third time, and passed, under this title—"A bill to repeal the several laws relating to the performance of quarantine, and to make other provisions in lieu thereof."

The house having resolved itself into a committee of supply,

Mr. Herries moved a grant of 30,000*l.*, to make good the damages and dilapidations caused by a storm to the cob and harbour of *Lyme-Regis*.—Agreed to.

200,000*l.* for compensating certain inhabitants of the United States of America for the loss they had suffered in consequence of the capture of slaves by the British army.—Agreed to.

The house resumed, and the report was ordered to be received on Monday next.

Mr. W. Horton moved the second reading of the Mauritius trade bill.

Mr. Bernal observed, that some misconception had gone forth with respect to the nature of this measure. This surprised him, as the nature of the case was so extremely simple. It was proposed to place the Mauritius sugar on the same footing with sugar the growth of the West-India colonies of this country. It was contended that this measure would not injure the West-India planter—first, because the distance of the West Indies from this country was so much less than that of the Mauritius; and next, because the quantity of sugar grown in the latter colony was so inconsiderable. From both these circumstances, it was inferred that the introduction of Mauritius sugar, which must arrive tardily, and in small quantities, could not affect the West-India planter. But he wished to hear some better arguments in favour of a departure from the present system. He would remind the house, that it appeared from the papers laid on the table, that though at this moment the inhabitants of the Mauritius did not carry on an illicit trade in slaves, yet that they had done so up to the year 1821. Up to that period, it was notorious that slaves were illegally imported into the isle of France. Now, this being an admitted fact, he could see no reason for granting the benefit at present proposed to those who, long after the legislature had prohibited the traffic, thought proper to indulge in it. Such a measure was very hard towards

towards the colonists of the West-India islands, who had done their utmost to discourage the slave-trade, and who had appeared most anxious to cultivate their estates by the labour of Creole slaves. On the contrary, the inhabitants and planters of the Mauritius had for ten or twelve years indulged in a trade which they well knew was contrary to law. It was almost unnecessary to state to gentlemen understanding the history of the Mauritius, that there were a number of rocky islands, lying east of the isle of France, called the Sechelles, which were most favourable to the carrying on of this forbidden traffic. The consequence was, that an armed vessel was always cruising in the straits of the Sechelles, in order to prevent the importation of slaves into the colony. This circumstance proved their anxiety to prosecute this trade; and it formed a reason for not granting them the boon which would be conferred by passing this bill. Another reason for not treating those persons as they treated the colonists of the West India islands was, that the former being considered as individuals coming under the protection of the East India company's charter, had enjoyed all the benefits of a free port for four or five years. But they were not content with that; and they turned round to government and said, "We wish ourselves to be placed on a footing with the West India islands." But the situation of the Mauritius was entirely different from that of the West India islands. There the slave-trade had long been suspended; but the islands of Bourbon and of France had, up to a comparatively late period, car-

ried on a considerable traffic in slaves, under different flags; and, even now, the contiguity of the Sechelles rendered it easy to introduce slaves into the isle of Bourbon, and from thence into the other islands. There was a very great oversight in this bill—because, though it purported to exclude from its operation the sugars of India, of China, and of Bourbon, yet it would be very easy to evade the intention of the legislature. (*Mr. W. Horton intimated that this objection had been effectually removed.*) He was glad to hear this statement; for without a very strict provision against the introduction of the sugars he had mentioned, the effects would be most injurious to the West India planter. He must however say, that he could not conceive why sugars should be suffered to come from the Mauritius on the same footing as sugars imported from Barbadoes, Granada, &c. when East India sugars generally were prohibited. These were points which called for the serious attention of the house; and he called on the right hon. gentleman (Mr. Horton) to explain on what ground it was that he introduced this measure.

Mr. W. Horton said, that at the time of the capture of this island, it was stipulated that it should be placed on the same footing with the other colonies of Great Britain; and the present measure would have no other effect but that of fulfilling that stipulation. The circumstance of the Mauritius being within the limits of the East India company's charter, and therefore rendering the sugar manufactured there liable to the same rate of duty that was payable

able on East India sugar, was merely an accident, of which he conceived advantage ought not to be taken, especially when it was considered that those limits extended to the Straits of Magellan. As to the alleged inconsistency of the inhabitants having at one time claimed freedom of trade, and subsequently changed their ground and requested relief with respect to their sugars, cogent reasons might be found in the papers for their conduct. In consequence of the order in council of 1816, connected with several local circumstances, the inhabitants found it necessary to abandon the free port, and, as they had a right to do, to adopt the alternative which was embodied in the measure now before the house. The hon. gentleman had mixed up the remission of duties with matters that were not connected with the question. He stated that slaves had been introduced into the Mauritius, and that it would be unjust to those who had opposed the slave trade if any favour were shown to men who supported it. This assertion must be decided by facts; and if the hon. gentleman would look at the papers, he would find that, for years, the trade had not existed; and that even prior to 1821, it was not carried on to any great extent. On this subject information would perhaps be hereafter given, to a much greater extent than the house was now in possession of. An armed ship certainly was stationed in Sechelles-straits, not, however, for the prevention of the slave trade in the Mauritius, but for the prevention of the general slave trade which might otherwise be carried on.

The right hon. gentleman then read a number of accounts, to show the insignificant quantity of sugar grown in the Mauritius with what was grown in different West India islands, and concluded by observing, that it would be an act of great injustice not to remove those duties, which had been imposed under an accidental, and, in fact, an ideal connexion of the Mauritius with the East Indies.

Mr. R. Ellis said, that this question had been settled at the period of the peace; and if some special cause were not assigned for the proposed alteration, he conceived that the decision which had then been come to ought to be abided by. Formerly, it was represented to government that freedom of trade alone could benefit this colony. They were told that agriculture could not flourish there. But now, a different course was pursued, and those regulations which were intended for the benefit of the West Indies, where agriculture alone was pursued, were to be extended to the Mauritius. The hon. gentleman then referred to the papers before the house, and also to the correspondence contained in the reports of the African society, for the purpose of showing that the slave trade was carried on to a great extent in the Mauritius, and concluded by stating that he would vote against the bill.

Mr. Huskisson said, that in the last session it had been proposed to reduce the duty on Mauritius sugar; but the answer of the West India interest had then been, that the Mauritius enjoyed commercial advantages in which the West India islands did not participate. That plea was now taken

away;

away; the restrictions which had operated upon the West India islands, and which did not affect the Mauritius, had been removed; and both interests being now, as regarded commercial advantage, on a footing, a new ground of objection must be taken to the reduction of the Mauritius duty. Accordingly, the opposition at present made to this reduction was of a different description: it was alleged that the colony of the Mauritius, contrary to the law of Great Britain, had carried on, and did still carry on, more or less, an illicit commerce in slaves. But this allegation—as it applied to any trade existing—was not supported by fact. Prior to the year 1820, some smuggling of slaves had taken place; but, according to the best evidence before the house, that practice continued no longer. Then the Mauritius must be judged, not according to what it had been, but according to what it was. If it was to be laid down as a general principle that every colony possessing slaves, and not entirely adapting itself to the wishes of parliament with respect to them, was to be visited with a heavier tax, let that principle be sustained and applied universally. He decidedly supported the present measure, and thought that the West India interest was wrong in opposing it. The small quantity of sugar which came from the Mauritius—say 12,000 hogsheads a-year—would make little difference to the West India produce; and even if it did not come direct into this country, its operation in the West Indies would be the same, for it must of necessity be sold somewhere, and would in fact go to to meet their surplus supply

(and reduce its price) in the general market of Europe. The right hon. gentleman sat down by assuring those gentlemen who opposed the bill, that this must be the case so long as the West Indies produced more sugar than could be consumed in Great Britain; and as soon as our consumption began to be at all equal to the supply, this fact the West India merchants might be sure of—they would hold their present monopoly no longer.

Mr. Bright said, that there was one fact which proved that a slave importation must be going on in the Mauritius. The colony since its capture, from being commercial, had become altogether agricultural. Within the last few years, its production of sugar had increased from 4,000 hogsheads to 12,000. Now he should like to ask how that increase was possible, unless slaves, and in large numbers, had been imported?

Sir R. Farquhar said, that the house would excuse him from pressing himself at that moment upon its notice, as he naturally felt a strong interest for a colony which he had himself so long administered. In 1810, he was present at the conquest of the Isle of Bourbon, to which he was accompanied by that meritorious officer, Captain Willoughby, who had distributed to the inhabitants proclamations which promised to them not only the advantages they enjoyed under France, but the pre-eminent advantages of the British colonies. The promises held out to them were free trade and the fullest protection to the produce of the island in the mother country. But how had those promises been fulfilled? They had

lost

lost the extensive trade they formerly possessed, and their produce met with no protection. The order of council issued in the year 1816, giving to those colonies a free trade, was accompanied with so many restrictions, that, coupled with the prohibitions which were placed on it in the ports of France, it was a perfect nullity. The fluctuations which followed therefrom destroyed all the confidence of the merchants; and the inhabitants, being thus deprived of the benefits of free trade, naturally became agriculturists; and, owing to the hurricanes, which destroyed the other plantations of the country, cultivators of sugar. Bourbon, being separated from the Mauritius, enjoyed all her ancient advantages, and the contrast of such prosperity with the depression of the Mauritius naturally tended to excite discontent and alienate the affections of the people of that country. The Mauritians now stood in the anomalous situation of being a sacrifice to European and Indian policy, whilst, on the ground of interest, expediency, and justice, it ought to enjoy all the advantages of the British sugar colonies. He contended that no slave-trade existed at present in the Mauritius, and that the slave-trade which had prevailed there some four or five years ago had been carried on by some renegades, who had lived by privateering during the war, and not by the respectable inhabitants of the colony. He showed, by reference to different abstracts of the slave population, that it had not increased during the conquest of the island, and inferred, from all these reasons, that there was no ground, save that of *sic volo*, 1825.

sic jubeo, for opposing the proposition now suggested in favour of the trade of the Mauritius.

Mr. B. Gordon would have no objection to vote for the bill, if it were postponed till the year 1828, in order that it might be seen in the interim how far it would affect West Indian interests.

Mr. Plummer moved, as an amendment, that the bill be read this day six months.

Mr. Hume trusted that the house, now that it was only doing an act of justice to the Mauritius, would also take into its consideration the state of the West India colonies.

Mr. W. Smith said, that his conviction was, that until the West Indies rendered their population independent of foreign import for subsistence, they would not be in that situation in which they ought to stand. As to the present bill, he was rather disposed to favour it, from a desire to try the effect of the encouragement of such a measure in an island situated like that which was the object of it.

Mr. Tnant supported the bill, and the house divided. For the bill, 37; against it, 14: majority, 23.—Adjourned.

House of Lords, June 6.—The *Earl of Liverpool* moved the order of the day for committing the Canada corn bill.

Lord King would vote for this bill going into the committee, on the ground that he hoped it would be the forerunner of a better next year. He thought that there was some good seed sown in the cabinet, which would, perhaps, spring well up in due time. But there were some rank Irish weeds, some no less rank Scotch, and he

was afraid not a few rank English weeds, constantly springing up, which might choke the seed, and disappoint the harvest. Situated as the cabinet was, he wondered how this bill was brought in, and doubted whether some persons gave a sincere vote for it. Ministers must doubtless have great difficulty in keeping their landed friends in order on the present occasion. They paid, it was true, much deference to the consul over the way (Lord Liverpool), but they felt that a more perfect obedience was due to Caesar—to the great dictator on the woolsack. If, however, he were prime minister, he would lower their tone—by putting the laws among them—by asking them why their rents should always be high? He would speak the plain truth to them, and tell them that the interests of all the other classes of society were not to be sacrificed to theirs. He was yesterday reading a book—a very good book, written by a divine—in which it was stated that hell was paved with good intentions. He supposed the treasury was also paved with good intentions, though, like those of the other place, they were very slow in coming to perfection. For instance, the present corn-bill had been passed many years ago, when we were said to be in a transition from war to peace. The transition, however, had lasted long, and 17,000,000*l.* of taxes had been reduced without any alteration in the corn laws.

The bill was then committed.

The *Earl of Lauderdale* made a few observations on the first clause of the bill, which he considered hastily and inaccurately drawn up, but did not oppose it.

The *Earl of Malmesbury* moved that the clause be omitted.

The *Earl of Liverpool* could not allow the motion to go to a vote without stating the grounds on which he supported the clause. The subject was one of the most important, in his opinion, which could be discussed in that house. He would not, at present, say one word on the general question of a free corn trade; but even those who most strenuously argued the expediency of such a system, never laid it down without reserving some protection for the agriculturists. He contended, however, that a liberal system was attended with no danger whatever from America; the waters of the Atlantic were a sufficient security against that. The danger, if any there was (and he did not here say that there was or was not any), arose from the European market. No danger could possibly arise from the states of America generally, and particularly from our own American colonies. The real question was, the good or evil which might result from this measure 20 years hence. The average importation from Canada was 16,000 quarters annually; the largest quantity that had been imported from thence in any one year, was 47,000 quarters: if this bill were to pass, many years must elapse before 100,000 quarters could be imported. It had various difficulties to contend with; the duty was 6*s.*, and the insurance and freight were 12*s.* 6*d.*, besides which, the trade was shut up for six months in the year, and confined exclusively to British ships. So far from being injurious in its consequences to agriculture, he maintained

maintained that this measure would be beneficial to it, and therefore it was most extraordinary to him that any prejudice should exist against it. But, on the other hand, had any noble lord reflected on the immense importance of Canada to this country? The mercantile navigation of this country amounted to 1,700,000 tons, and of that, between a fourth and fifth was employed by Canada; in addition to which our trade with that country was one of the main props of our navy, for from it were taken all the best and hardiest of our seamen. But by a narrow and contracted policy towards Canada (it was a different thing with respect to the Baltic), their lordships would throw all that navigation into the United States. Canada was not poor; she prospered, she thrived; and he trusted she would continue to prosper and thrive, but he wanted to make her feel that she prospered and thrived by her connexion with Great Britain; and at the same time, he wished to make their lordships feel the importance of not throwing away the advantages which she afforded to this country. The noble earl, after replying to some of the objections of the noble lord who had spoken last, said he was satisfied to alter the duration of the clause to three years, which would afford them an opportunity of judging of the objections to it; for he confessed that nothing could cause him more severe disappointment than their rejection of this measure. He objected to its being limited to one year, although he hoped that all the corn laws would undergo revision next year; but this, he contended, ought to

be taken separately from the others, for Canada stood on distinct grounds. Let the general corn laws be taken upon their own merits; but this measure, he was satisfied, was right and expedient.

The *Earl of Lauderdale* argued against the clause.

Lord Dacre objected to the clause — first, in the absence of sufficient information; and next, on the ground of such information as he had received. He contended that in enacting this clause, they were legislating not for Canada, but for the United States; for the United States would have no difficulty in smuggling their corn into Canada along the lakes. The house was therefore enacting that the whole produce of the United States might be imported, at an inadequate duty, into this country for three years to come. He hoped, therefore, their lordships would pause before they passed a measure that might be followed by the destruction of agriculture.

Earl Bathurst combated the objection to the clause founded on insufficient information. They could not ground any just calculations on the present price of wheat in Canada, because if the ports were thrown open it would immediately advance; but three years' experience would enable them to form the best judgment upon the subject. He denied that there was a great facility for smuggling from the United States into Canada; the Canadians knew it was their interest to oppose it, and they did so effectually.

Lord Malmesbury withdrew his motion for the omission of the clause.

The *Earl of Lauderdale* then

moved that the certificate, which was required by the bill as to the corn being the produce of Canada, should be given by the grower and owner of the grain, instead of the shipper.

The other clauses were then agreed to without objection.—Adjourned.

House of Commons, June 6.—

Mr. Calcraft moved the order of the day for the second reading of St. Olave (Hart-street) tithe-bill. The hon. member observed, that it was a bill to settle the disputes, which had so frequently occurred in the parish, with respect to the amount of the tithe. When the present incumbent came to the living, the tithes did not exceed 250*l.* They had since been gradually raised until they amounted to the enormous sum of 2,200*l.* By the present bill it now proposed to settle a fixed sum of 1,820*l.* a-year on the incumbent now in possession, and with such provision he was satisfied. The patrons and parishioners were satisfied; but a difference had arisen as to what should be the sum to be paid to the future incumbent. The parishioners agreed to give him 1,200*l.* a-year, but the bishop of London wished to have it fixed at 1,350*l.* Now, when it was considered that the parish consisted of only 175 dwelling houses, and that the chief duty was performed by a curate at a salary of 100*l.*, he thought 1,200*l.* a-year a very liberal allowance. However, if the bill were allowed to go to a committee, he thought that some satisfactory arrangement might be made on that subject. The hon. member then went on to contend at some length that the sum of

2*s.* 9*d.* in the pound was much too great to be demanded for tithe, and particularly objected to it on the ground that the decree under which it was claimed had never been enrolled, and therefore was not valid in law.

Dr. Phillimore objected to the bill, on the ground that under the name of a private bill it was a direct spoliation of private property. The decree under which this tithe was claimed had, he contended, been enrolled and acted upon in many instances, and was binding, as it was meant to be, on all those parishes to which it stated itself to apply. He moved as an amendment that the bill be rejected.

Mr. Denman supported the bill, and contended at considerable length that the decree of Henry VIII. had never been enrolled—that in the commissions and arbitrations under Edward VI. and James and Charles II. for regulating the tithe in several parishes in London, the decree was not even mentioned, which it undoubtedly would have been if it were considered to be in force at the time.

Mr. Sergeant Onslow opposed the bill, because it interfered with the vested interests of the church.

Mr. Baring supported the bill, because it did not interfere with vested rights, and because it was calculated to put an end to all discussions between the incumbent of the parish and his parishioners.

Mr. Wynn supported the amendment, contending that if the house interfered on this occasion between the clergyman and his parishioners, it would be called upon to interfere in all future cases where a clergyman and his flock quarrelled about tithes.

Mr. Courtenay contended at some length, that the decree mentioned in the act of the 37th of Henry VIII. had been enrolled, and that in consequence the house would, in passing the bill, be interfering most unwarrantably with the disposal of the property of the church.

Mr. W. Smith approved of the bill, as well as the arrangement which the parish had at all times evinced a readiness to make; and when they considered that the incumbent was getting from 1,800*l.* to 2,000*l.* a year for what was not previously more than 500*l.*, surely the church at least ought to be satisfied. He deplored this connexion between pecuniary affairs and the duties of the clergy, and thought that the stability of the church was more endangered by such contests, than by any thing else to which it could be exposed.

Mr. Peel thought that as the matter involved a grave consideration of law, it ought to be left to the court of king's-bench to decide, instead of being considered in parliament, where it might introduce a most dangerous precedent of interference in private property. The arrangement proposed by the parish might be liberal; but as it was permanently to affect the property of the church, the consent of the bishop of London ought at least to be obtained for the compromise. As it now stood, the consent of one party alone had been had, for the rector had withdrawn his consent on finding the bishop's withheld. He thought when the parish agreed to give the allowance of 1,800*l.* a-year, it was a strong admission of the other party's legal right. At all events, he thought the subject had better

be considered in the court of king's bench than in the house of commons, unless they meant to set a bad precedent, which would apply as well to the Duke of Bedford's toll in Covent-garden as to the party in this case. The parties might arrange a bill next session better adapted for the purpose.

Mr. Alderman Wood denied that the parishioners believed the law to be against them; but they preferred an amicable adjustment to this continuance of litigation. And those who were interested in church property ought to recollect that this was not like a parish in the environs of the metropolis, which might increase in value, but was one where the tithes must decline, and particularly if the St. Catherine's dock were constructed, which would necessarily diminish the number of houses.

Mr. Alderman Bridges supported the bill.

Mr. Calcraft begged the house to recollect, that the whole business for which the parish was willing to pay 1,800*l.* a-year was performed by one curate for 100*l.*; that it was the cause of parish disputes, which (and he was sorry for it) had kept the parishioners from attendance at the church, and this bill would heal them all.

Sir John Nicholl said, that though the parish offered to pay the present individual 1,800*l.* a-year, they provided that his successor should have only 1,200*l.*

The house divided on the second reading of the bill, when the numbers were—For it, 55; against it, 36; majority, 19.

Mr. Hume had a petition to present which was of some importance. It related to the practice of the burning of Hindoo widows

in India—a practice which he deprecated as a violation of the principles of reason and humanity, and which he was of opinion was not consonant with the proper interpretation of the Hindoo laws; and this opinion he derived from the fact, that not one in a hundred Hindoo widows adopted it, and that it was much less practised in those parts of India where the Hindoo religion was most scrupulously preserved by the natives, than in those presidencies where there was a greater laxity of prejudice. He thought it the duty of the government to put it down, and might be abolished without the least danger, or incurring the least risk in the Indian empire. The petition was from the parish of Crall, in Scotland.

Mr. F. Buxton stated at some length the reasons which had prevented him from bringing this question in a more definite shape before the house. He had been restrained chiefly by the political affairs of India, the Burmese war, and the topics both of a civil and military character which had been agitated on that continent within the last two years. As the peculiar interest and feelings to which these topics had given rise had chiefly passed away, he proposed in the first week of the next session to bring the question directly before the house. He remarked, that from the returns already made in five years, there had been in the province of Bengal alone, 3,400 females burnt on the funeral piles of their husbands. The real amount, in all probability, went far beyond the official returns. Gentlemen conversant with the affairs of India had assured him that the real numbers would be

more like 10,000 than 3,000, and this, the house would observe, in the province of Bengal alone. He really feared that the conduct of government had unintentionally promoted this wickedness. To say the least, the natives were not made acquainted with the feelings of the British legislature by any declared disapprobation of the practice. The police of the Indian government were required to attend the burnings, but they were directed not to interfere to prevent them. This was construed into a silent acquiescence of these abominations. Now, what rendered these facts the more melancholy was, that the practice itself was not absolutely required by the Hindoo religion. Many of their pundits had written expressly against it. Menu, their greatest law authority, merely said, that the widow must be prepared to practise austerities, —to live chaste, retired, and abstemiously, or else she ought to ascend the funeral pile of her husband. A native author had described the descent of Albuquerque on the territory of Goa, and added, that his countrymen said much good of him, because he put a stop to the burnings. Some of the most active and intelligent of the local magistrates and judges had recorded their opinions that the practice might be put a stop to by the mere will of the British government, and that the natives would be highly gratified with the change. Among others, he mentioned with particular respect the conduct and opinions of *Mr. Lushington*, brother to his honourable and learned friend near him, who had, as far as his personal power and influence would reach, enforced the absolute suppression of the

the practice. He mentioned several instances in which the sacrifices had been prevented by the determined interference of the local authorities, which had given great satisfaction to the native population.

Mr. Trant said, that having had considerable experience in this matter, from a long residence in India, he could not refrain from giving some expression to his sentiments on this occasion. He observed that, as the south was more remarkable than the north of Hindostan, so Bengal, perhaps, exhibited a greater number of these sacrifices than any other province of India. It was, in fact, the chief seat of Hindoo superstition. Why it was so, he did not pretend to determine. But upon one point his mind was made up—that it would be highly dangerous and improper for the British government to interfere with a violent band in any thing which concerned the religious rites of the Hindoos. He had himself known a native of that country, the most enlightened man of all the Asiatics whom he had met with. This person saw enough of the superiority of European education to make him resolve to have his children brought up in these schools. In a conversation which he had with this person upon the atrocity of these burnings, that man, clever as he was, and so well inclined to Europeans and their manners, justified the practice, and said, “that is a point of our religion, and your government must not interfere with it.” Upon which he made up his mind immediately that the British government could not properly put down the practice by the strong arm of authority. If they

were to do so, it was plain that this individual would have quitted all his inclinations towards the manners, religion, and education of the English, to defend the rites of his own religion.

Mr. Wynn was afraid that the steps which had been taken to put down the practice had tended to its increase. Doubtless it was the duty of government to do all in its power, which could be done with safety, to do away with it, or to lessen the instances. But he was convinced that the British parliament could do nothing in it with any propriety. No general measure could be adopted which would not imply the most alarming danger. It was not a subject for British legislation. They could not make laws for so vast a continent as they might for a limited territory, inhabited by people of one religion and one common sentiment. They were to consider the varieties of population and feelings, and other circumstances which must belong to a country measuring 2,000 miles from north to south, and the same from east to west. The task of suppressing the practice must be left to the discretion and firmness of the local authorities, and the directions which they would receive on that head from the board of directors.

Sir C. Forbes said that it was continually to be lamented that the British government had not, at an early stage of the conquest, peremptorily abolished the practice. When Lord Wellesley was in India, 20 years ago, he might, with one stroke of his pen, have put an end to it. He highly applauded the government of that great man in India, which was nearly as perfect

fect in mildness, wisdom, and firmness, as could be expected from the known and general defects of our common nature. But that nobleman had shown his power by the peremptory suppression of infanticide, which was as stoutly defended on the score of superstition as this horrid practice of burning widows. The case had materially altered since then. The natives would have received with gladness so salutary a proof of the firmness of the British government. Since then their religious jealousies had been awakened. A formidable church establishment had been founded amongst them. Shoals of missionaries had been allowed to go in among them, and their feelings had taken a posture of hostility which before they would not have experienced. Still he was of opinion that the British government would do well to compel the directors, and through them the local authorities, to interfere. It was absurd to suppose that the love of life was less in the bosom of a Hindoo woman than in any other person. The sacrifices were not voluntary. In every case they were the effect of persuasions from the Brahmins and the relatives of the women. The miserable victims would be happy to take refuge from these cruel suggestions under a law of the British legislature, making it murder for any one to aid or abet these sacrifices. Until something of this kind were done, it would be in vain to expect from the local authorities any efficient means for suppressing the abominable rites.

Sir Hyde East was convinced not only of the impolicy and harshness of this legislature interfering,

but also that the sacrifices themselves were considerably increased by the repeated discussions which were agitated in parliament upon the subject.

Mr. W. Smith said, that so far from being convinced by those gentlemen who affected experience in India affairs, that parliament ought not to interfere, he felt convinced that nothing effectual would be done in quashing this abominable and bloody idolatry by the local authorities until they were denounced by law.

Mr. Hume, on moving for the printing of the petition, said that the hope of effecting the extirpation of these cruel rites by the mere disposition of the court of directors, and their instructions to the local authorities, might be judged of from this fact—that from 1787 down to the end of 1820, there was not one letter—not one line—not even a word of disapprobation expressed by the directors to those authorities. The first movement of the kind took place in consequence of the motion of his hon. friend the member for Weymouth. He was convinced that the business must be effected by a committee of that house. No half measures would do here. All that the government and the court of directors had hitherto done, had only had the effect of legalizing the murders in the eyes of the natives. They ought first to inquire in a committee as to the safest and most efficacious means of suppressing them; and then to adopt a law for the peremptory enforcement of those means.

Sir I. Coffin said that the readiest way to lose India would be to interfere with the superstitions of the people.

Sir

Sir Hyde East applauded the local authorities for their successful efforts in reducing the number of sacrifices.

Mr. F. Buxton was obliged to the hon. member who spoke last for doing away in his second speech with the charge which he had made against him in his first. He had first charged him with increasing the number of Suttees by raising discussions in the house; in the second speech, so far from their having increased at all, their numbers were said to have declined considerably.

Mr. Money said, that it was in the power of the government to suppress the practice without offending the native population. He referred the house to several instances in the reports, wherein local magistrates, faithfully intent upon the discharge of their duty, had, by mere persuasion, prevented the burnings. Whatever might be said, the Hindoo was attached by the love of existence like other creatures. In one province it had been prohibited, and the natives rested satisfied; nor were they known in a single instance to have sought an opportunity of eluding that regulation, though they had only to cross a river and enter the Mahratta territory, where they would be entirely free from it, and at full liberty to effect the cruel sacrifices.

The petition was then ordered to be printed.

The Mauritius trade bill went through a committee.

The colonial intercourse bill was read a third time and passed.

The Duke of Cumberland's annuity bill went through a committee.

House of Lords, June 7.—The

Earl of Liverpool rose to move the second reading of the law of merchants bill. In the first place, he wished to call their lordships' attention to a petition in favour of the alteration in the law now proposed to be made, which he some time ago had the honour of laying on the table. That petition was signed by almost all the respectable merchants of the city of London—by men engaged in every branch of commerce. It was signed by general merchants, East India merchants, West India merchants, North and South American merchants, those who traded to the north of Europe, Spain, Portugal, and the Levant—in short, by persons who represented every kind of commercial interest; so that there never had been among merchants a more general concurrence in support of any measure. It was now his duty to call their lordships' attention more particularly to the question which this bill involved. The subject was somewhat abstruse, and to a person who, like himself, was little acquainted with the details of commerce, presented some difficulties. He should, however, endeavour to state as briefly as possible the general grounds on which he wished to recommend the bill to their lordships' consideration. It was to be expected, in the present state of the trade of this country, that many cases would arise, in which the operation of laws enacted at an early period would prove embarrassing—laws which, however proper and politic in their origin, might become totally incompatible with the present complicated state of commerce and society. Nevertheless, in any alteration of the law, their lordships

lordships would take care not to give their sanction to any thing inconsistent with the general principles of equity, or the existing relations of commerce. With regard to the law of merchant and factor, if the mere principle of the contract of these parties with each other were considered, there could be no doubt that the agent ought to be bound to the principal; but a new question arose as to the interests of a third party. The transactions of this kind of trade were not now confined to single acts of merchants delivering goods for sale into the hands of their known factors. Almost the whole commerce of the world was now carried on by commission. The state of trade rendered it impossible for any person in a foreign country to do more now than to make a general consignment of merchandize, which left to the discretion of the agent or factor to determine when he should bring the goods into the market; and if it should not be a proper time for throwing the article into the market, it was often necessary that he should be able to raise money upon it by pledge. There was no doubt that the factor was bound by the instructions he received from his principal. But here came the difficulty with respect to third parties. The factor proceeded to raise money on the goods intrusted to his charge.

What could the third party know of the state of the case? Was the person who negotiated for money on the goods the owner or an agent? If the latter, were his instructions limited or unlimited? This he had no means of ascertaining. He would of course know that money was to be raised

on the goods, but there was no possibility of his knowing any thing more of the ownership than the fact of possession, unless the possessor chose to make disclosures to him. Now, supposing fraud or bankruptcy, was the loss to fall on the principal or on the pledgee who might have advanced money on the goods? It was said that if the factor's instructions were merely to sell, he could not pledge; and that in the case of his pledging the loss ought to fall on the pledgee. Such was the state of the law. But that the loss should so fall appeared to him to be wrong on four grounds: 1. It was contrary to the principles of natural equity. 2. It was contrary to analogy. 3. It was contrary to opinions delivered on the law by very high authority. And 4. It was in opposition to the state of the law in other countries. He thought their lordships would readily admit that the liability of the third party was contrary to the principles of natural equity, because the pledgee had not in many cases the means of knowing any thing more than the fact, that certain goods were in the possession of an individual who wished to raise money upon them. He might have little or no knowledge of the character of the factor, and act on the presumption that there was no fraud: but it might be assumed that the principal was well acquainted with the person he employed as his agent: he must have a control over him: he could limit or restrict him, or deprive him of all authority to act. A principal, doubtless, might be defrauded by a dishonest agent, but still it ought to be recollected that the principal must know his agent,

agent, had a power over him, and stood with respect to him in a very different situation from the pledgee. The person who advanced money saw nothing, probably knew of nothing, but the goods; and therefore, upon every ground of equity, if there were a loss, it should fall upon the principal or the agent, and not upon the pledgee. The present state of the law made a distinction between possession and title to merchandize; but he did not see how it was possible for trade to be carried on, if possession were not allowed to be *prima facie* proof of title. The petition on the table prayed that this might be the law, and the greater part of the commerce of London, and two-thirds of the foreign trade of the country, already rested on this principle of general equity. He had also said that a change of system was recommended by analogy. In support of this opinion he would refer to money transactions. With respect to exchequer bills, and indeed bills of every description, the principle of protecting the pledgee was sanctioned by law. If any person consigned exchequer bills to another, who pledged them to a third party, there was no doubt that the pledgee had a right to the property. Therefore, with regard to all kinds of money securities, the law made possession equivalent to title. He did not see why the same protection should not be given to the pledgee in all commercial transactions as was already given with regard to exchequer bills, bills of exchange, and other money securities. He came now to the point of authority. The first decision which led to the course now acted on

being considered law, took place in 1742. Here the noble earl entered into the history of this case, and others which had more recently taken place, and quoted the opinions of Lord Ellenborough and Mr. Justice Le Blanc, who had regretted that the law should be as it now stood. To these two opinions he referred as sufficient authority for altering the present state of the law. He came now to the last point of consideration, which was, that the law, as it now stood, was contrary to the state of the law on the same subject in other countries. That where there was no fraud on the part of the lender, the principal should suffer for the acts of his agent, was a principle not only recognised and enforced in every other country of Europe, but contradicted by the law of any country, except that of England, and the united states of America, who had borrowed their laws from England. The protection he proposed to afford to the pledgee was even at this moment the law of Scotland. On these grounds he recommended the adoption of this bill, convinced that it was founded on principles of justice and equity.

The bill was read a second time, and ordered to be committed on Friday.

House of Commons, June 7th.—

Mr. Peel said, that the bill which he was going to ask leave to introduce into the house was the first-fruits of that liberal provision which it had recently, and in his opinion with great wisdom, made on behalf of the judges of the land. The object of his present bill was to throw an impediment in the way of fictitious writs of

error. A writ of error was an appeal from the judgment of the court, and superseded it for a considerable time. In the court of king's bench, as well as in the court of common pleas, any individual had the power of suspending a judgment by suing out one of these writs, which was granted as a matter of course. It was found, in consequence of the inquiries instituted by the commission to inquire into the abuses of courts of justice, that the number of writs of error, in the years 1817, 1818, and 1819, received in the exchequer chamber from the court of king's bench, was 1,197. To show how many of them were issued for mere purposes of delay, he would make a short statement to the house. Out of these 1,197 writs of error, 158 were never prosecuted at all; in 836 the proceedings were abandoned; in 702 of them the judgment of the court of king's bench was affirmed, and only in one of them was it reversed. Out of the whole number there were only nine cases in which the parties thought proper to argue the grounds on which they had appealed, and in eight of them the argument was clearly against them. The delay which these proceedings had created to the suitor in obtaining his judgment was about a year in each case, and was an evil of such a magnitude as called loudly upon the house for redress. On each of these writs the chief officer of the court was entitled to certain fees; but in consequence of the arrangement which had recently been made, these fees would cease to be paid to that officer, and would be carried over to the consolidated fund for the benefit of the public. By an act, passed

in the reign of James I., a check had been put upon frivolous appeals to the house of lords; and he now intended, by a similar provision, to put an end to frivolous appeals from the ordinary courts of justice. His bill would provide, that every party suing out a writ of error, should enter into recognizances for the payment of twice the amount of debt, or damages, already found against him: so that hereafter any person suing out such a writ, would do it at his own peril, and would therefore take care that he had a valid point on which to object to the existing judgment. He concluded by asking leave to bring in a bill, to prevent the practice of suing out fictitious writs of error. — Leave granted.

Mr. Sykes moved for a reduction of the duty on soap and tallow candles, which was negatived without a division.

Mr. Hume moved for returns of all persons imprisoned by the governors in council of the several presidencies of Bengal, Madras, and Bombay, without the institution of judicial proceedings, and without a verdict obtained against them; distinguishing the number in each government in each year; the time, place, and all other circumstances of their actual imprisonment; the causes which induced the governments thereto, the periods of confinement, and the age, sex, and rank of the parties, which was negatived by 74 against 26.

Sir Francis Burdett moved, "That an humble address be presented to his Majesty, praying that his Majesty would be graciously pleased to cause the evidence, taken before the commis-

sioners appointed to inquire into the court of chancery to be laid before this house," which was negatived by 154 against 73.

The Duchess of Kent's annuity bill was read a third time, and passed.

The report on the Duke of Cumberland's annuity bill was fixed for Thursday next.

The report of the newspapers postage bill was brought up. It was agreed that two-pence should be paid upon all votes of the house of commons, and newspapers sent from Great Britain or Ireland to the colonies, and three-pence upon all newspapers from the colonies home.—Adjourned at one o'clock.

House of Commons, June 9.—

Mr. Hume rose to submit the motion of which he gave notice respecting the practice of flogging in the navy. He had intended to move for a committee on the subject of impressment and flogging; but he was now induced to alter his plan, and to move for leave to bring in a bill to prevent impressment. If he could point out a mode by which the navy might be recruited by volunteers, as the merchant service, he trusted the house would concur with him in thinking that it would be most desirable that the unconstitutional practice should be dispensed with. He would, if the house gave him leave, bring in his bill, and have it printed, in order to have it stand over for consideration, to be taken up next session. His bill would prevent the practice of impressment, except in cases of great emergency. He had consulted with several naval men on this subject, and it seemed to be the general opinion that the means might be devised for placing the

navy on the same footing as other branches of the force of the country, as far as respected the facilities of keeping up the necessary strength by means of voluntary entry. One great cause which prevented this, was the power exercised of punishing seamen at the discretion of one man. That was a source of the greatest injury to the service. He did not see why seamen should be subjected to such arbitrary punishments more than other persons employed in the defence of the country. No man was ever flogged in the army until his conduct had been thoroughly sifted by a court-martial: why was a seaman to be placed in a different situation? Why was the one service to be freed from the infliction of punishment at the caprice of their officers, and the other to be exposed to it? He could see no reason in the world why the same rule should not be extended to both services. He understood that in some vessels containing from 200 to 600 men, as for instance the *Bulwark* and the *Dictator*, it often happened that there was not a single man flogged for six or eight months; but in other vessels he knew that men were flogged almost daily, with a severity which to him was quite inexplicable. If no capricious punishment was allowed to be inflicted in the army, by parity of reason there should be some security afforded to the seaman that no capricious punishment should be inflicted in the navy. Ministers, during the last session of parliament, had exerted themselves very laudably to prevent arbitrary power being wantonly exercised over the slaves in Trinidad. They had issued an order

order in council on the 10th of March, 1824, limiting the number of lashes to be inflicted on any slave in one day to twenty-five; declaring that even that number should not be inflicted until twenty-fours after the commission of the offence for which he was punished, and awarding a definite penalty to any individual who should dare to act in violation of those provisions. Why were not the seamen of the country placed under similar protection? Why were not the nature of their offences defined and punished by law? Why was not some enactment made to prevent them, not only from being unduly punished, but also from being punished at all until the irritation of the moment had subsided? He knew instances where officers had punished men contrary to the rules laid down by the admiralty; and what did the house think that the admiralty did when such conduct was reported to them? Did they punish the officers? Oh no, they merely admonished them to be more cautious in future. To show how severe the punishments inflicted in the navy were, the hon. member read two statements to the house, which he said the individuals who had sent them to him were ready, if they might be permitted, to make good at the bar of the house. The first related to circumstances which had taken place 20 years ago, and the last to circumstances which occurred only last year. The hon. member then read a long statement from a sailor, who said that he had joined the *Howe*, Captain Cockburn, in the year 1805, at some port in the East Indies; that he had not been many days on

board before a marine received four dozen lashes because his musket had hung fire; and a veteran seaman as many more, because he remarked in conversation to the master at arms, that in all the thirty-five years during which he had been at sea, he had never seen so cruel a punishment inflicted for so trivial a cause; that during all the time he had remained on board the *Howe*, similar punishments were frequently inflicted, and that the feelings of all on board were harrowed and disgusted by them. The hon. member then read another statement, containing an account of the punishments inflicted on board of one ship in the course of the year, from which it appeared that by far the greater part of its crew had been personally punished in some way or other. He described the punishment of *starting* to the house, and the circumstances under which it was generally inflicted; and then asked whether it was too much, under such circumstances, to ask for the interposition of parliament? He could mention many cases in which the severest punishments had been inflicted upon seamen for trivial offences; but he thought that the mention of a single instance of oppressive punishment was sufficient to warrant the house to interfere, and prevent its recurrence. So much for the manner in which flogging was inflicted in the navy. It was his object to put an end to it without a court-martial, and to leave the seaman in the same situation that the soldier was in at present. It might be asked, why had he brought this subject before the house, when there were so many naval officers in parliament who must be better acquainted

acquainted with it than he was. The reason was, that though few naval officers could be found to defend the present practice, none of them chose to put themselves forward to put an end to it. Some of them, from the habits of early education, were enamoured of the practice: others looked at it with a lenient eye; and many more of them durst not express the opinions they entertained regarding it, lest by so doing they should, as an hon. friend of his had said on a former occasion, be obliged to turn their stern upon the admiralty. Another object of his bill was to limit the period of service in the navy to seven or ten years, according to the plan which Mr. Windham had introduced into the army, and to give to every seaman who had served that period, a certificate of such service to secure him in future against impressment, though, in the altered system which he wished to introduce, he thought that impressment would be unnecessary, as the navy would be always filled with volunteers. There was no difficulty in getting mariners, though they were subject to the same laws; discipline, and punishment as the sailors, in consequence of their receiving a bounty on their enlistment, and of their being enlisted only for a limited period. Under such an alteration as he proposed, he anticipated that in future there would be as little difficulty in procuring seamen. The rate of wages in the navy, he complained, was not commensurate with the rate of wages in any other service. Seamen at present received in the merchant service 3*l*. 10*s*. per month; but in the navy they only received 2*l*. per month. He

thought that, even with these disadvantages, men would prefer serving in the navy to serving in the merchant's service, if the arbitrary power of flogging were taken away, and if the other measures which he recommended were carried into execution. Sailors, owing to the hardships to which they were exposed, generally suffered under a premature old age, and he would therefore recommend that pensions should be granted to them proportionate to their length of service. If a pension of 7*l*. or 10*l*. a year were granted to a man after he had served ten years, it would be received by the navy as a boon of great importance. He contended, that as a recompense for those hardships, the house ought to do two things for the sailors—it ought to give them pensions proportioned to their length of service, and to alter the present distribution of prize-money. Was it right, he would ask, that when a prize was taken, the captain's share of the booty should be equal to that of the whole of the crew put together? The officers should not be taught to look upon prize-money as an inducement to enter the navy; but the men, he contended, should. Of all future prizes he would give six-eighths to the men, and would leave only the other two-eighths to the officers. The Marquis of Hastings, and the other officers of our Indian army, had abandoned the whole of their prize money to their men; and he would advise the officers of the navy to follow their bright and glorious example. If such alterations were introduced into the naval service, he would undertake to say that, let war come when it might, they

would have as many seamen as they wished to man their fleet without impressment: but, as an emergency might arise, in which it would be impossible to wait till volunteers were collected, he would have such a register kept of all the seamen in the country as had been prepared 150 years ago, and with this additional proviso—that every man at sea should be liable to serve for five years in his Majesty's navy, just as every man on shore was liable to serve in the army for the same time. The hon. member concluded by asking leave to bring in a bill containing the details of the measure of which he had stated the outlines to the house. He would not attempt to press it further this session, but would have it printed for the consideration of members during the recess of parliament. He then moved that "leave be given to bring in a bill to amend the 22nd of Geo. II. cap. 35; and to make a provision for the encouragement of seamen, and for the more effectual manning of his Majesty's navy."

Sir F. Burdett seconded the motion.

Sir G. Cockburn commenced his observations by complaining of the want of courtesy which the hon. member for Aberdeen had exhibited towards him in bringing forward a personal attack upon him, without giving him any information of his intention to do so. Had he received notice of the hon. member's intention to make a direct charge upon his conduct, he would have brought the necessary documents from the admiralty to refute and repel it. He trusted that the house would recollect that twenty years ago the

discipline of the navy was different from what it was at present; and yet, at that very time, he had on board of his own ship made an order against "starting," and had absolutely quarrelled with a gentleman, who had since quitted the service, for "starting" the men without his permission. If the hon. member for Aberdeen would mention the name of the individuals who were said to have been punished as he described, he would in all probability be able to tell him the real offences for which they were punished. As it was impossible for him to make such statement at present, he would confine himself to this observation—that he had never inflicted any punishment, while he was in the service, except in the presence of his officers, or without inquiring into the nature of the offence which had been committed. With regard to the bill which the hon. member asked leave to introduce, he would now beg leave to say a word or two. The reason alleged by the hon. member for bringing it in was, that the seamen were so ill-treated in the naval service of the country that they had a strong dislike to it. The statement, however, of the hon. member went along to disprove his own argument, for he had told the house that sailors were now procured for the navy without impressment, though they received only 34s. per month in the king's service, and 34. 10s. per month in the merchant service. He then explained what was the nature of the retiring allowances for seamen, and warrant officers, after their periods of services for twelve, fourteen, and twenty-one years, which he deemed to be sufficient, and denied that the hon. member

member was borne out in his comparison between the army and navy. The army were enlisted for life, the navy for a limited period, and liable to be paid off every three years; and so far from the general tendency of the commercial marine being to induce a preference for that service to the injury of the navy, as the hon. member seemed to suppose, the fact was the reverse; for the admiralty, on the application of the merchant service, had repeatedly written to their officers on foreign stations to discourage their enlisting seamen from the commercial marine, unless it became absolutely necessary, from the urgency of the public business. And, indeed, this was done by the admiralty contrary to an old statute, which, for the purpose of encouraging the navy at the expense of the war marine, abrogated their private articles upon entrance into the king's service. When the hon. member argued upon the analogy of courts-martial, between the service of the army and navy, and insisted that no punishment in the former could be inflicted without such court, he had omitted stating that when the army were actually engaged in the field, there was a proviso that punishment could be inflicted by the commander-in-chief's order to the provost-marshal. Now he would ask, whether the general service of the navy at sea did not resemble that of the army in the field, and whether the same power of discipline ought not to be allowed to the one as to the other? A ship, for instance, sailed upon a three years' voyage round the world, and it was impossible to have a court-martial

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on board. What then was to be done? Was the offender to be kept in irons all that time, or even to be kept in custody? and what other alternative had the captain for punishing the want of discipline in his ship? This was the ordinary case of the navy, and did it not resemble the case provided for the army in the field? The captain must, in these cases, abandon the supreme command of his crew, and the necessary enforcement of discipline, if the honourable member's motion received the sanction of the house. Let it not, however, be understood that the admiralty held out any encouragement to the infliction of corporal punishment; on the contrary, they called for returns of its infliction, and he could give no better proof of the moral discipline of the navy than to say, that these accounts were transmitted from the service as often blank as full; and he could assure the house, that the lords of the admiralty marked with peculiar approbation those officers who had maintained discipline without resorting to coercive means. But of the necessity of the existence of this principle he had no doubt; indeed, it was recognized by the courts of law in a recent case, in which a captain of a merchant vessel was declared justified in the infliction of corporal punishment, for the due maintenance of the discipline of his ship. Were they then prepared to deny to the navy, that which they were ready to confer upon the commercial marine? All he could say was, that if they did, they would strike altogether at the root of the discipline of the king's service. Then, as to the

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hon. member's argument about impressment, all that the admiralty wished was, to prevent as much as possible the necessity of resorting to impressment, but nothing would be more impolitic than to abrogate their power of doing so, considering the deep responsibility which was vested in the government. It was the commercial marine which kept up a nursery for the war service; and unless the house was prepared to keep up in time of peace a maritime strength, which the sudden emergency of war might call forth, he was at a loss to see how the public service could at such a crisis be adequately provided for. He could positively say, that the service of the navy was never upon a better footing than it was at this moment; and he could with equal confidence declare, that the principle of the hon. member's motion was calculated to interfere with the essential maintenance of due discipline: and all he would say in concluding his opposition to the motion was this—that the hon. member had entirely mistaken the meaning of the 36 articles of war, when he limited the power of inflicting corporal punishment to the operation of the 36th. All who attentively looked at them would see that the power was expressed in the previous articles, even to the penalty of death; and that the 36th article merely mitigated the punishment in certain cases not before expressed.

Sir W. de Crespigny was under the necessity of thinking that the discipline of the navy could not be maintained without confiding the power of corporal punishment to the discretion of officers.

Sir Isaac Coffin rose amid loud cries of "question." He remarked, that he had some claim upon their attention, for never in his life had he spoken ten minutes together. All he had to say was, that this motion was not only unnecessary, but mischievous; for it went to cast a slur upon the character of the officers of the navy, which was most unfounded. Indeed, his hon. friend (Mr. Hume) was no seaman, and he would recommend him not to meddle in this sweeping way with their duties, but rather to remember the adage—*Ne sutor ultra crepidam*.

Mr. Robertson declared his conviction, founded upon practical experience, that the discipline of the navy could be maintained without the infliction of degrading corporal punishment. He had himself commanded ships in the Indian trade as large as vessels of war, and had often navigated them with a mixed crew, sometimes with only three real sailors fit for their whole duties, and yet he had done this without resorting to so severe a punishment.

Sir Joseph York said, that his honourable friend who had last spoken was greater than all the great men that had ever flourished in the navy; he was the very *Solon* of the sea, and ought at once to change his clothes and put on a full admiral's uniform, for never did man deserve it better. To navigate a ship like a man of war, with only three good navigators among the crew, was the greatest achievement he had ever heard of, and to his hon. friend ought henceforth to be given the trust of wielding in the highest rank the thunders of the British navy. Then

as to the mode of conducting naval courts-martial, or even the solemnity of inflicting punishment, he could declare that the business was always done with as much system, scrutiny, and form, as characterized civil proceedings at home. How, then, could it be said that men of valour and honour were prone to severity and oppression? Were naval officers in general men of an unfeeling nature? were they less sensible than other men of the influence of reason and humanity? and how but upon the notion of their insensibility could such a question as this be supported? As to the crews, he did not deny but some two-thirds were good—of others in the remainder, he would, however, from his professional experience declare, that so far from moral lectures about personal character operating upon them, they might as well talk to pigs. Some of them were as insensible as brutes, and bore their floggings accordingly; indeed, they were classed as formerly the hard drinkers were—(he was glad the practice was on the decline in the navy)—there were the five-dozen men, as there had been the five-bottle men. His firm persuasion, however, was, that the existing discipline, or at least the reserved power of inflicting it, could not be abrogated.

Sir F. Burdett said, that the subject before the house was one of a highly serious nature, involving matters of great national importance. However brilliant the faculty of wit might be which any member possessed, it could not be well displayed on so grave an occasion. To say the least, there was no good taste in showing

one's-self facetious upon questions which affected the sufferings of others, though it might be next to impossible among those who were listening to prevent the feeling of mirth. The best defence which could be set up for such jocularities was, that the speaker, like the gallant admiral who had just sat down, had been carried away by the flow of animal spirits. Now, as he understood the question, his hon. friend near him merely proposed to do that which had been the declared opinion of many able and intelligent men who had written on the subject during a long time past; the alterations which he proposed had been over and over again recommended by captains, commanders, and other experienced persons; nor had one single statement of his hon. friend received the slightest answer from the gallant admiral who had undertaken that task. His hon. friend contended that there was no necessity to engage force on the side of government to man the fleets, if they would only proceed by the known motives of human nature—take the fair course which prevailed in other cases—viz. by holding out sufficient inducements for those who were to be invited by them to face the dangers and encounter the perils which hung upon the lives of those devoted to the maritime defence of the country. What was there to which any man could seriously object in this? And on what a mistimed occasion did the argument of public economy, the only one which could be rationally opposed to it, occur? The ministers were pompous and swelling in their description of the growing resources and increasing

increasing mercantile prosperity. To hear them talk, one might be led to suppose that the country and the treasury were overflowing with wealth, and that the chief difficulty was in finding proper objects on whom to bestow it. No necessity had been shown, no statement advanced—there was no pretext, not even the least colourable, for augmenting to a great, a really monstrous amount, the income of the judges. It was only natural, and that which must follow, to make a corresponding addition to the salaries in every other office. At such a time it seemed very strange that the house should refuse at least to consider the means of rendering the sea-service—the most useful to the country, the most arduous, and the worst requited—more inviting to the community; to see if means more effectual and more just might not be resorted to for obtaining men, than that of violently forcing them from their families, and heaping upon their guiltless persons the accumulated horrors of imprisonment; for in this was the great mischief, to which flogging was but a necessary corollary. Men taken by force and injustice into a toiling and dangerous pursuit, could only be kept down to the level of the discipline by other methods which were equally revolting to humanity. What, then, did his hon. friend propose? He merely said, “Let me, after well considering the subject, make one endeavour to show how you may get rid of all these evils, which every one of you must equally with myself deplore, by bringing in a bill.” There needed no questions to be asked; the subject was fully

known; all the world was acquainted with the shocking nature of the naval discipline and punishments. There was nothing wanting—there was nothing asked, but the liberty of bringing the propositions of his hon. friend before the house, for their adoption or rejection, as best suited themselves. The gallant admiral had treated his hon. friend as if he were incapable of comprehending these questions of practice—as if he could not be supposed equal to an opinion upon matters of fact. His hon. friend had proved too often his power in that way, to make a formal justification necessary. Ministers knew, and so did the gallant admiral, that the head of his hon. friend was full of very useful facts; for he must have surprised each of them in their turn with the knowledge which he evinced of facts connected with their various departments. But to return to the subject. His hon. friend proposed to take from the officers of the navy the dangerous powers of coercion which they had hitherto held. How shocking was the idea of a beardless boy chastising a veteran seaman of a gallant and unquestionable character! The gallant admiral had made it a part of his case that thirty-five out of thirty-six of the articles of war decreed death. Who could doubt but that to an honourable and brave man death would be preferable? His hon. friend did not propose to loosen the discipline: he only wanted to secure to the officers of the navy a time of reflection between ordering the punishment and executing it, that they might not do that in the heat and hurry of their feelings—an error to which

the best as well as the worst minds were liable—which their cooler reason would condemn. For this purpose he had proposed more formal proceedings in naval punishments. He was reminded, however, of the power of the provost-marshal, when he had adverted to the milder discipline of the army. The provost-marshal was authorized in the march of an army to order any man who had flagrantly broken through the discipline, to be hanged up. But the difference of circumstances which could alone justify the exercise of that power, was left out of the question. A general marching through a foreign country with an army, for the conduct and preservation of which he was answerable to his government, might be compelled to do that which nothing but the absence of all law and established regulations could justify. Besides, the offences, whatever they might happen to be, would be committed in the face, or within the immediate knowledge of the troops; no doubt of the facts, no question of justice, could intervene to do away with the paramount necessity of good order and obedience. But if the provost-marshal, under other circumstances than those, were to exercise that power,—if he put it in force when plenty of time might, without inconvenience, be taken to clothe justice with her proper insignia, who could justify the act of the provost-marshal then? To bring in his case was literally asking to have that which ought to be limited by rules, left all discretionary, because, in another case, there was discretionary power necessarily left in some cases out of a system actually limited by rules. A more

modest and unobjectionable motion than that of his hon. friend could not be made. The labour was all his own. He wished to acquaint the house with the effect of what he had discovered. The failure of the motion, if it were rejected, would be his; and all the ridicule and obloquy of defeat would be his. Under these conditions, he wished to be allowed to offer something for the public service. In this he was assisted by the testimony of an hon. member opposite, who told the house that he once commanded an India ship. The statements which he had made were not to be done away by any rough and boisterous ridicule, come from whom it might. That hon. gentleman had told the house of an instance of working a ship home with a diminished number of men, who were of the worst and most degraded order of seamen, and must, therefore, be supposed the less capable of being controlled, without the aid of those punishments and that force which were held to be necessary for the national sea service. As to the plea of the navy having a portion of wretches among them whose principles and conduct could not be subdued without the roughest discipline, the answer was plain—they ought not to let such persons into the navy any more than they were allowed to be in the army. For what was the effect of it but to degrade and subject the honest, honourable, gallant men of our fleets to the low and brutalizing condition of the discharged felons? God forbid that he should have any other view than that of giving equal advantages to the officers: the country could not find means to reward them in a way equal to their

their actions. He would have their age provided with whatever was befitting to their ease and comfort, and they should pass the remainder of their lives, after bleeding for their country, in honour and happiness. He was of opinion that the country was able to do all this, and provide men also, without having recourse to that home slave trade—the impressment—far worse, in his mind, than the African slave trade, and, as his hon. friend was prepared to prove, with many able and experienced writers who had gone before, more costly to the country in real pounds, shillings, and pence, than would be the fair rewards, and compensations, and bounties, which would be necessary to render the service a desirable object to that class of the people. One thing was clear—the motion would do good, whether granted or not. His honourable friend had laid his plan before the house, and the effect of all such motions was to diminish the evils. It was now admitted that formerly there did take place, under pretext of discipline, acts of a most unjustifiable nature. He gave the admiralty full credit for the steps which they had taken in the line of improvement; but it seemed to be with government as with some other great philosophers—they required the diligence of flappers continually about them. Parliament might get a little good out of them, but they must not forget the flapper. He hoped that his hon. friend would be allowed to bring in his bill. He had heard no argument of danger or inconvenience to prevent it. The gallant admiral who was so witty was no less visionary in his notions—

they were perfectly groundless. He stuck, however, upon the fair reward and advantage of the officers. No men had ever deserved better—none had ever done so much perhaps for the glory of their country. He had thought the reference of the gallant admiral to the 35 articles which decreed death was by no means happy for his purpose. To be sure, if there ever was a method devised for making and keeping a system not only inoperative but loathsome, it was to write death, death, death, to all varieties of offences which did not deserve it, and upon which it could not be visited. The gallant admiral objected to the Solon of their side of the house. He had much reason to say to the gallant admiral, “Take away your Draco code, which, by your own admission, is too bloody for any occasion.”

Sir George Clerk said, that there had been no case made out by the hon. mover to justify the house in allowing him to tamper with a subject so serious as the existence and welfare of the navy. If the hon. gentleman could succeed in repealing among the articles of war the one to which he objected, he would not be much nearer his object, for he must then move for the repeal of the act of Geo. II., upon which they were founded. The endeavour to assimilate naval with regimental courts-martial was obviously improper, because of the necessary authority which must be left, for safety as well as discipline, with the several officers of the ships. The idea of lessening the severity of the discipline by it was altogether erroneous. The inferior officers caused most of the punishments

nishments to be inflicted by the complaints which they found it necessary to make from time to time to the captain, who used his own discretion in remitting or moderating them. If this discretion were taken away, the punishments would be more formally adjudged, and consequently more positively enforced. As to giving the officers time, 24 hours or more, to reflect upon what was going to be done, in 99 cases out of every 100, much more time elapsed. The punishments were conducted with the utmost solemnity; the whole crew were called up to witness them. As to a stripping having the power to flog an old veteran, a gallant honourable seamen, undoubtedly if that were to happen, the young gentleman would be sent home. The house must look at the delicate situation in which a captain was placed with the health, lives, discipline; and property which he had to protect. Then they must consider the nature of the offences by which that discipline was infringed—principally arising from drunkenness and theft. The number who must be kept in irons on some occasions, with others who must guard them, would make the hands scarce for navigating the ship. The captains were subject to the control of the admiralty, who carefully examined into their books once a quarter. The first part of the plan of the hon. gentleman, for raising the wages, was unnecessary and impolitic. They could always get seamen at lower wages than the merchants could get them; so that the only effect of raising the wages in the navy would be to raise the wages of the merchant service. As to the argument which the

hon. gentleman derived from the fact that there was no flogging on board the *Bulwark* for a certain portion of time, it would be just as good to say, that because in one assize town there had been no execution, therefore the penal laws for inflicting capital punishments ought to be done away. As to limiting the term of service, and awarding pensions, that had been done ten years ago; and a seaman who had served twenty-seven years could claim his discharge, and 1*s.* 6*d.* per day for the rest of his life: a petty officer, under the same circumstances, would be entitled to 4*5*l. a-year. In altering the distribution of prize-money, the justice of the case was not so clear. A captain took a prize at considerable risk to himself, because if the vessel were not condemned in the admiralty court, as lawful capture, according to the law of nations, he might be called upon for restitution. What captain, under more disadvantageous conditions, would encounter such a risk? The arguments of his gallant friend were conclusive—they ought not to tamper with a system under which the navy had prospered for so long a time.

Mr. Hume replied. He had shown the whole of his plan at the commencement to the house. If any man would say, that in his opinion impressment ought not, if it could, be done away, to that man he would have nothing to say. He pledged himself to show to all the rest that there was the greatest inconvenience and expense in retaining it. The militia were bound to serve for five years. Why should seafaring men object to the like term of five years?

They

They would not object to it; and here would be found at all times adequate means of naval defence. He complained of the gallant admiral who spoke last, having misled the house by inducing them to believe that every seaman was entitled to a pension. After 21 years a seaman might claim a pension, but for any shorter period, or upon a claim for retiring in consequence of wounds, the admiralty used their own discretion. In 1777, Mr. Luttrell had made a motion of this kind in the house, and withdrew it, upon an understanding from government that they would do away with impressment forthwith. From that time to this, it had unceasingly prevailed, whenever the country was embarked in war. He had heard nothing to prevent him from dividing the house.

Mr Sykes had lived many years in a seaport, which had given him a correct knowledge of the horrors and crimes to which impressment gave rise. The town was commonly shaken with riots, growing out of this cause, though rarely by any other. Perjuries were multiplied, to exempt individuals from the hardships of the service. A little boy got three fingers chopped off, by accident, from his right hand. His father congratulated himself that the child, when grown up, would not be pressed into the service. It was a system, taken together with flogging, altogether loathsome, brutalizing, cruel, and impolitic.

The house divided—against the motion, 45; for it, 23; majority, 22.

Sir John Newport, adverting to the motion regarding the charter-schools of Ireland, which he was

about to submit to the house, said, the whole question lay in a very narrow compass indeed. It regarded the propriety of taking some legal measures against a set of men who had, in the discharge of their functions, done every thing that was unjust, oppressive, and unwarrantable. Upon the management of those institutions which he was going to advert to, it had been his fate now, for 21 years past, to address this house on a variety of occasions. In every case wherein he had exposed instances of the most gross mismanagement, and of the most flagrant perversions of the public bounty, as connected with the charter schools of Ireland, he had been combated by gentlemen on the other sides, either with evasive promises or direct denials. In the mean while the existence of the evils complained of was perfectly notorious; and some idea of their magnitude might be formed when he stated, that since the union the public had at different times bestowed upon the support of the chartered schools of Ireland, sums of money to the incredible amount of nearly 600,000*l*. When the house adverted to the reports which had been, from time to time, made to them on this subject, how would hon. gentlemen on the other side be able to make out those assertions of immaculate purity and honest management which they had so loudly advanced in favour of those who immediately preside over those chartered schools? Unfortunately, it was no unusual thing for parliament to hear similar language about such matters. And many years ago, even, when the atten-

tion of that justly celebrated man, the philanthropic Howard, whose diffusive benevolence extended to the whole of Europe, and indeed of the world, was directed to the chartered schools of Ireland and their condition, promises of amendment were held out, and the best hopes were excited. But what was the result of those promises? The schools in question, so far from being ameliorated, were deteriorated. In 1806 it appeared by one of the reports that the chartered schools of Ireland were discovered to be, as they were in the time of Mr. Howard, exceedingly ineffective for almost all the excellent purposes of their institution, and full of abuses. It was in consequence of a petition from the archbishop, the bishops, and many of the dignified clergy, and of the most distinguished members of the laity of Ireland, that the charter-schools of that country were originally founded, and endowed with lands for the support and the furtherance of the objects of their establishment. The first of these schools was founded in 1734; and in the three following years, seven more. The plan of founding these institutions carried with it so powerful a recommendation to the patronage of the public, that one individual, a Dutchman, was said to have subscribed as much as 46,000*l.* three per cents. towards their support; another person about 20,000*l.*, and several other private characters very large sums; so that the rental of these schools, in consequence, now amounted to upwards of 7,000*l.* per annum. In 1808 a report was given in to parliament signed by the archbishop of Dublin and other distinguished per-

sonages who had visited these schools previously; and until 1817, nothing further seemed to have been done on the subject. In 1817 Mr. Thackeray was appointed to examine into and report upon the condition of these establishments; and after Mr. Thackeray, Mr. Lee. These commissioners stated, that at the period of their visitation the condition of the schools was far from satisfactory, and the system pursued in them most vicious. Here the right hon. baronet quoted largely from Mr. Lee's report relative to the marked superiority, in all respect, of intelligence, vivacity, and apparent contentment, observable in the half-naked children of the neighbouring peasantry, over the children brought up at these schools: the cruel enormities practised by the masters of such schools, in many cases, in the punishment of the children—such as seizing them by the throat, half strangling them by that means, and at the same time administering severe flogging with a cane; their employment on Sundays in preparing specimens of penmanship to be laid before the visiting committee of 15, because on week days some of the masters compelled them to work in the (to them) more profitable occupation of weaving, although these were masters of schools established and supported by members of the protestant clergy and communion. The right hon. gentleman next cited from the reports, several passages relative to the chartered school at Stradbally. There the boys were asked by one of the visitors whether they were well used; and though they were very oppressively and cruelly treated, such

was their terror of the master that they answered in the affirmative. It appearing afterwards that there was good reason to believe a very different story, they were severally examined; but the catechist, who discovered what the true state of the case was, reported not to the committee, but to the master himself. Here, again, a variety of details relating to the severity of some of the punishments inflicted at this school, and the trivial grounds of their infliction, were entered into by the right hon. baronet, who mentioned, among others, the case of a boy who was in one day nine times flogged with a leathern thong, and thus received about 100 lashes. As to the system of education, some of the boys were found to be ignorant whether the word "Europe implied a man, a place, or a thing." The master was a farmer, renting three farms, containing 150 acres in all, and therefore attended very little to the discharge of his duty in the school. He made the boys work for him in his garden; and one day, when they had been working very hard, and were very hungry, a party of them stole and ate one of his raw cabbages, for which he thought proper to punish them very severely. The house will be pleased to observe, that there was left by the late bishop Pocock, a bequest for the establishment of a weaving school; and the building a place, to be attached to it, for the purpose of affording the scholars religious instruction. Now, by the last reports it appeared, that out of 36 scholars in this establishment, there were only 13 who could read; only six copy-books among the whole number of boys;

that the master could not teach, and that there was no usher. Several of these scholars, however, were grown up young men. This was at Newport, in the vicinity of which, such was the anxiety for instruction among the peasantry, that at a cabin only two miles distant, 96 of their children met constantly to be taught. At another place, a young man had taken a stable for the purpose of teaching the poor, and so crowded were the floors of this place, that the children were absolutely obliged to betake themselves to the manger. At the charter school of Clonmel, there were only two scholars, and no books; and for a master, one was a mere cripple, but who had a salary of 50*l.* per annum, and 24 acres of land, at a rental of 25*s.* per acre—the very next adjoining land, letting commonly at the time of the report at eight guineas, and now at six guineas per acre. Not only were the objects of these charities perverted, but the secretary in effect prevented all complaints from reaching the committee, by refusing to present memorials from complainants. There was an understanding, indeed, between the registrar and the masters of these schools, who constantly made him presents (as the right hon. bart. was informed), and advanced monies without interest. Now the observations which he (Sir J. Newport) had addressed to the house, he did not mean to apply by any means to all the parochial schools of Ireland, but only to those charter schools which were under the superintendence of masters who had so shamefully and outrageously misconducted themselves. All his anxiety was, that those who had been guilty of those cruelties should

should be visited by the law ; and taught to learn that it would not suffer them with impunity to outrage humanity and justice in their conduct towards the friendless and otherwise unprotected individuals who were confided to their care. He concluded by moving, " That a humble address be presented to his Majesty, expressive of the deep sense of regret and indignation with which this house has perused the details of the unwarrantable cruelties practised on the children in the several charter-schools of Ireland, as contained in the reports of the commissioners of education, and praying that his Majesty would be graciously pleased to direct his law officers in that part of the united kingdom to institute criminal prosecutions against the abettors of those dreadful outrages, as far as they may be amenable to the laws for the same."

Mr. Goulburn said, there was not a sentiment of regret or detestation, with respect to the acts described, which was to be found either in the report, or in the speech of the right hon. baronet, in which he did not entirely participate. He was, therefore, freed from the necessity of travelling through the various matters of detail which formed a great part of the speech of the right hon. baronet ; but he was not freed from other difficulties which were connected with the mode in which this subject had been brought before the house. Those difficulties had nothing to do with his own private feelings on the subject, but applied exclusively to the course which it was most expedient to take on this occasion. The question was, whether it

would not be better to leave the adoption of that plan which would be most effectual to correct the evils complained of to those whose official duty it was to inquire into them ; and if they neglected that sacred duty, then to call for the authority of that house to apply a proper remedy ? One difficulty of the case was, that the report had only been before the house for five or six days. Therefore no opportunity had been afforded to examine the documents on which it was founded, nor to enter into communication with the government of Ireland as to the mode which that government might deem it most advisable to adopt. In every page of that report reference was made to the appendix, and the commissioners distinctly stated, that the real state of the schools could not be understood, except by a careful perusal of the documents contained in that appendix. He recommended, therefore, as an individual member of parliament, that they ought to wait until those documents were forthcoming. If, however, there appeared to be a general feeling in the house, that this resolution should be agreed to before the government took any step for the purpose of bringing to punishment, as far as they were amenable to law, the individuals accused, he, for one, would not raise his voice against it. Still he thought it better to leave the subject with government : and having said thus much, he did not deem it necessary to trouble the house with his opinion as to the proper remedy of the evil. The defects of the system on which the charter-schools of Ireland were conducted were so

clearly pointed out by this report, that he had no doubt that the noble lord who was at the head of the government of Ireland, and the members of this commission, would as early as possible attend to and correct them, care being taken to preserve the interests of those unhappy individuals who were placed in those schools, in the alternative of their being either new-modelled or wholly given up.

Mr. S. Rice hoped that his right hon. friend would not withdraw his motion. Already had many valuable reports on this subject been laid upon their table, of which no notice had been taken. He alluded more particularly to the fourteenth report, which, as well as the others, was suffered to remain a mere dead letter. If the motion of his right hon. friend went to criminate a particular individual,—the schoolmaster of Sligo, or of any other place—that would form some reason for saying, “Let us wait for the evidence.” But all the house were called on to confirm by their vote was, that a *prima facie* case had been made out, on competent authority, which demanded the adoption of such measures as the law advisers of the crown might deem necessary, under all the circumstances that had been brought to view. The document before the house was sufficient for that purpose—not for the purpose of deciding on the conduct of any man or set of men, but for the purpose of calling for the adoption of legal proceedings. He was not willing to leave this question to the executive government. The commission itself was a measure forced from the executive government by

the voice of that house. If ever there were a document which loudly called for the interference of parliament, it was that which was now laid before them. This charter-school system was a specimen of the exclusive protestant system of Ireland; and therefore, on that point, it was more proper that it should be considered by the house and the public, than it even was with reference to the individuals who were accused on this occasion. The charter-school system had constantly been recommended, both before and since the union, as essentially protestant, as absolutely necessary for the support of the protestant church in Ireland. In the year 1763, an address of the lord lieutenant set forth, “that the charter-schools and provincial nurseries tended greatly to promote industry and the protestant religion in Ireland;” and since the union, those schools had been defended on the same principle; and when gentlemen got up and said a word against them, they were accused with being hostile to the church of Ireland. The truth was, that those schools were nothing more than traps for Roman-catholics. It was by their operation that an attempt was made to separate the father and child, and they had led to the grossest abuses. When the right hon. gentleman called on them to take no steps on this occasion, was he aware that a report had been made in 1787, with respect to those schools, by Mr. Howard, and that the cases then adduced were as strong as those now brought forward? In consequence of that report, the vote for charter-schools had been diminished; but steps had not been taken against those

who had misconducted themselves; and, until that was done, justice would not be satisfied. Did the right hon. gentleman know that in 1817, Mr. Thackeray made a report on this subject, and the cases then disclosed (the case of Nelson and others) were more atrocious than those now brought forward? The house, however, did not interfere—the general incorporation did not interfere—and the system went on as usual. The old adage was verified, that “What was every body’s business, was nobody’s business,” and the public money was voted away to an extent that could not be justified. Subsequent to the union 638,000*l.* had been thrown away on those schools, out which, 9,000 apprentices had been sent. This immense waste was sanctioned, for the purpose of keeping up an exclusive system of monopoly and bigotry. So far from doing good, those schools had aggravated the evils of Ireland. The hon. gentleman concluded by hoping, that a clause would be introduced in the appropriation act, taking from those to whom the funds connected with the charter-schools were at present intrusted, all control over them. At the proper time he would move, that any sum which might be granted, should be placed in the hands of the government of the country, and not in those of the governors of the charter schools.

Mr. Goulburn, in explanation, said, that the votes for the charter-schools had decreased, since he came into office, from 29,000*l.* to 19,000*l.* a year.

Mr. Peel denied that the commission had been forced upon the government by the voice of that house. He had himself moved for

it, and every individual composing it had been selected on account of his fitness for the office. One of these gentlemen, Mr. Glascock, he never saw, but he had signalized himself by the strict performance of his duties on a commission in Scotland; and therefore he was appointed. It was thought desirable that there should be a Roman-catholic on the commission, and therefore Mr. Blake, a gentleman of abilities, was appointed. Mr. Grant, another member, he had never seen in his life; and his hon. friend, (Mr. F. Lewis,) had, by his exertions in the course of an investigation relative to abuses in the revenue of Ireland, proved that he was calculated for this second situation. These were the commissioners, and he mentioned them thus particularly, to show that the great desire of government was to have a full and fair examination into the matters complained of. Two inquiries naturally presented themselves on this occasion; one was, the policy of continuing the present system of charter-schools, or of putting an end to it; the other related to the course to be pursued in punishing those persons who were concerned in the abuses noticed in the report. Now he had no hesitation in saying, from the facts stated in the report, and from the recorded opinion of the commissioners, that this system did not admit of correction; and that the legislature ought, as soon as possible, to extinguish it altogether. They ought to do so, consistently with a proper consideration for those individuals who were at present members of charter-schools. He begged leave to observe, that not two days had elapsed, after the

the report was received, when an instruction was sent to those schools, not to admit a single additional member, but, on the other hand, to reduce the establishments as much as possible. The directions thus given were, he conceived, a practical condemnation of the system. Such a gradual and progressive reduction would be made in the annual votes for the children, as would in time, and at no remote period, put an end entirely to this gratuitous system of education in charter-schools. That ministers were not wrong in pursuing the system up to this point, might be inferred from the fact, that the commission appointed by the right hon. gentleman himself, in 1806, made a report, in which those schools were favourably spoken of. If prosecutions must follow the present report, as the right hon. baronet supposed, he would not hazard a comment with respect to those whose conduct must be investigated in another place. But if he abstained from doing so, it was not because he did not participate in the strong feelings which were manifested against those who were said to have behaved so unworthily. If it were judicially proved that such cruelties were practised as had been described, the dismissal of the guilty individual would not be sufficient punishment. They ought to be punished, not vindictively, but in such a manner as would deter others from committing similar offences in future. He had not the least idea of screening or palliating those who had been guilty of such conduct, and he would at once vote for the motion of the hon. bart. if he thought that his opposition

would be viewed as indicating a desire to save those persons from punishment. What he, however, would contend for was, that they should have the benefit of a fair trial. That house ought not, he conceived, to adopt a motion which was opposed to the great principles of justice. If they were to be sent to trial, let them, not merely for their own sakes, but for the sake of justice, be sent to a perfectly fair trial. To be tried at the instance of the house of commons was generally considered in itself a disadvantage; but it became infinitely worse, if expressions of condemnation were mixed up with the address to the crown. The right hon. gentleman then read the resolution, and pointed out those phrases of condemnation which he conceived ought to be expunged from it. He hoped the hon. baronet would leave out those words which assumed the guilt of the parties. If he did not, he should be obliged to oppose it on a principle of justice.

Sir F. Burdett.—"I merely rise to say, that I am perfectly satisfied with the manner in which the right honorable secretary has treated this question."

Mr. J. P. Grant said, that in order to do justice, it was not sufficient that the parties should have been noticed as they had been by the board of commissioners, but it was necessary that they should be visited with more severe punishment, if the facts set forth in the report were true. He considered it necessary that the house should back the government in the prosecution of the offences which had been brought to light. It appeared to him surprising that the horrors thus brought to light had remained

remained so long unnoticed. In 1787, a report was made from a committee, setting forth certain malpractices which prevailed in the chartered schools. Under these circumstances, he thought it incumbent on the house to express their opinions on the subject, not only as it regarded the schoolmasters, but also as it regarded those persons whose business it was to superintend the schools.

Mr. C. Grant said, that he had always entertained a strong opinion that the system of the charter-schools must ultimately work out its own condemnation. He did not certainly suppose that such enormities as were detailed in the report were in existence, because the system was so strictly under the superintendence of the clergy and the most eminent men in Ireland. But there were evils inherent in the system, such as those of separation from parent and child, and proselytism under suspicious circumstances. At length, however, there was but one opinion entertained respecting the merits of the system. That which had so long been considered the bulwark of the protestant establishment, was now acknowledged to be the greatest stigma which attached to it. He was not sorry for that, because he was of opinion, that the more the protestant religion was relieved from such incumbrances, the better for it.

Sir J. Newport then altered his resolution in the manner suggested by the secretary for the home department.

The resolution thus altered was then put, and agreed to without a division.

Mr. Huskisson rose to move for leave to bring in bills relating to

warehoused and Canada corn. After some prefatory remarks on the objections which the former bill had met with in the house of lords, he explained that it was his intention, in the bills which he now proposed, to give effect to the alteration which had been agreed to in the laws with respect to Canada corn, and to give an opportunity for bringing into the market a quantity of corn which had been rotting for the last fourteen years in the warehouses. There was nothing in the first measure calculated to excite the jealousy of the English corn-grower, and the advantages resulting to the public from it were such as the house could not disregard. When he stated that in the course of 20 years past an average quantity of from 50,000 to 60,000 quarters of corn had been annually imported from Canada free of duty, he thought he said enough to remove any apprehensions on this score. It was impossible that under any circumstances the quantity of that corn imported could exceed 100,000 quarters. To bring this to England would cause the employment of from 20,000 to 30,000 tons of British shipping, and when the importance of our relations between that colony and our own country were duly considered, and the jealous commercial rivalry of the United States of America also taken into the scale, he was sure the importance of fostering the interests of Canada would appear in a strong and true light. The details of the measure respecting warehoused corn were already before the house, and these were to be included in one bill. The other was to relate to Canada corn, the free importation

of which was to be allowed for the space of two years; thus affording the legislature an opportunity of revising the law, if upon experience that should be found necessary, in the session of parliament before its expiration. The right honourable gentleman concluded by moving for leave to bring in these bills.

Leave was given to bring in the bills.—Adjourned at one o'clock.

House of Commons, June 16.—*Mr. Brougham* said that he had a petition to present from Mr. Bishop Burnett, of the Cape of Good Hope, which stated sundry proceedings regarding the government of that colony, which were highly deserving the consideration of the house. He would open to the house the facts stated in the petition, and would then beg leave to lay it on the table, premising thus much—that he did not intend to make himself liable for the truth of the petitioner's statements. He had, however, made such inquiries of the petitioner respecting his statements as had convinced him, from the tests to which he had put the petitioner's accuracy, that he was at least consistent in the story he told. He would state the facts of the petition as they had been stated to him, and would then leave the house to deal as it chose with the allegations of the petitioner. The petitioner stated, that in the year 1820 he went out a settler to the district of Albany, in the Cape of Good Hope; that he expended a considerable capital in the cultivation of that district, and that he was encouraged so to expend it by the colonial secretary, who assured him that he would receive the utmost assistance, provided

he did not burden the government with the expense of transporting a party of settlers in aid of his undertaking. The petitioner further stated, that he expended more than 20,000 rix-dollars in prosecution of his designs, and in order to show the house the lucrative nature of the speculation in which he employed it, declared that he had been offered from 7,000 to 10,000 dollars as the estimated gross produce of his first year's returns. The petitioner said that he had to complain of the proceedings of the colonial courts of law. He stated that he had been engaged in a suit at law with one Robert Hart for the recovery of 900 dollars; that Robert Hart proceeded through forms of law with which he was utterly unacquainted to judgment against him, and that in consequence of that judgment he prepared to make a public sale of the petitioner's property. The judgment was followed up, the petitioner went on to say, by a publication of his insolvency, though he had at that time a *bonâ fide* claim upon the commissariat for forage he had supplied to it. The petitioner further declared that the sale had been as arbitrarily suspended by the colonial government as it had been illegally threatened, and that in spite of every remonstrance he had made on the subject, the affair had remained in abeyance for two years, notwithstanding the public judicial declaration of a commission of circuit that these proceedings were in error, and that the petitioner was not insolvent. The petitioner then stated, that he instituted proceedings both against Robert Hart and the public sequestrator, for

for their attempt to ruin him by a false declaration of his insolvency; but that he found the proceedings of the commission of circuit so illegal and corrupt, as to convince him that no redress was to be obtained from such a quarter. He found that he had not only to struggle with the corruptness of the courts, but also with the decided enmity of the colonial government; in short, that Lord C. Somerset was his decided personal enemy. The petitioner considered the cause of that enmity to be a great fear on the part of the governor lest there should be a scrutiny into his conduct by the commissioners of inquiry who had been sent out to the Cape of Good Hope, and a wish to get rid of a person who could give such strong evidence against him as the petitioner. The petitioner afterwards proceeded to state, that he found it his duty to represent his case in a memorial to his excellency the governor, with a *bonâ fide* view of obtaining inquiry and redress, — a proceeding, which he described to be warranted by the laws of all civilized states, and especially justified by those of his native country. His excellency, however, not only did not institute any inquiry into the merits of the charges which the petitioner brought against the commissioners, but absolutely treated his petition after the precedent of James II. Yes; this petition, or memorial, or representation, or remonstrance was absolutely treated by his excellency the governor, as if it had been a libel on the government, and was by him placed in the hands of the fiscal, with orders to have it prosecuted as a libel.

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Now, if this fact were true, it was a good ground of impeachment against Lord C. Somerset. That was his opinion as a lawyer, and he had no doubt of its correctness. His excellency the governor, according to the statement of the petitioner, put this memorial into the hands of the fiscal, with orders to commence criminal proceedings thereon, and a prosecution for libel was begun accordingly. The petitioner stated, that as "*no *lex loci* was applicable to his case, as there was no English statute nor Dutch decree, nor even summary enactment of a cape proclamation, the fiscal obtained his conviction upon his own warranted assumption of Roman practice*" — which Roman practice, (said Mr. Brougham,) if it allude to the *lex regia*, is the most arbitrary of all practice, amounting in one stage of it to the infliction of capital punishment — "both contrary to the laws of the ten tables, of the pandects of Justinian, the acknowledged bases of that code by which the Batavian republic and its provinces had hitherto been governed." The result of the proceeding was, that the petitioner was sentenced to five years' banishment from the colony for presenting a memorial to his excellency which it was his duty to receive. There was a libel issued against the viceroy, which was foul and scandalous, and groundless as any charge could be. An attempt was made to fix this libel upon the petitioner, who was as incapable of such a thing as the governor-general was of the atrocious practices to which that libel referred. But who did the libeller turn out to be? Why a Mr. Jones. Now he begged the gentlemen

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gentlemen of the principality not to grow warm at that name, for this Mr. Jones proved to be no other person than Oliver the spy, who had obtained the patronage and influence of the local government. Why should he not? He enjoyed the influence and patronage of the government at home, and he deserved it equally well in both places. There was no doubt that Edwards might be there too, and Castles, for they also had entitled themselves to the favour of the government. Certainly Mr. Oliver was there; and in the pursuance of his former practices, he chose this method of stinging the governor. The petitioner's charges were in one instance against the whole body of the judicial institutions. The complaint was, that those institutions furnished no adequate securities to the enjoyment of personal liberty and the rights of property. The petitioner also complained of the management of the commissariat department, because, instead of an open bidding for the supply of the rations for the troops, the business was settled by a private tender. The consequence was, that twenty-three stivers and a fraction were paid to the bailiff of the governor's establishment for rations, which the petitioner says he would have gladly supplied at ten stivers. He confessed that to himself and his colleagues about him this and the following charges looked and savoured too much of profit—they had, as it were, too lucrative an aspect. The next charge was relative to the exchanges of money, which were observed to run peculiarly in favour of his excellency's arrangements, accordingly as his affairs required them. Whe-

ther he had to draw or to remit, he was sure to be equally fortunate with the exchanges. In cases of appeal to his excellency from the tribunals, little good was to be expected, according to the petitioner, from the present administration of that court. A Dutchman of the name of Dune had succeeded in causes wherein he was appellant to his excellency, "shortly after the purchase of one of his excellency's horses for 10,000 dollars, which died after payment, and before delivery from the stables." He wished the house to consider this transaction. Ten thousand dollars for one horse! Why this was the dearest horse that ever was known since the horse of Troy; and it ought to prove as fatal either to the petitioner or the governor as the contents of that renowned wooden horse did to the people of Troy. And then the governor's horse died before delivery, and after payment. There was something peculiar in the nature of these things, which required explanation. Surely it ought to have been the very paragon of horses to cost 10,000 rix-dollars. Why, according to his hon. friends about him, that would be between 2,000*l.* and 3,000*l.* sterling—a sum which he had never heard of as the price of a horse, except for some of those extraordinary and valuable creatures that won the plates. However, to comfort the Dutchman, who might be supposed to have gone about grumbling at his bargain in low Dutch, his excellency was thought to have said, "Bring your appeal, and I will give the cause in your favour." He did not think the governor capable of a twentieth part of the charges

charges generally made against him; but if he were justly to be suspected of one-half of these—if he (Mr. Brougham) believed that there was evidence to support one-half, he should feel it to be his duty as a member of parliament to bring an impeachment. It would be seen how far the house inclined to protect him from the inquiry. He would move, in the first place, for leave to bring up the petition. He took that opportunity of saying that the commissioners appointed to inquire into the affairs of that colony had been a long time making their report.

Mr. Wilmot Horton thought that there was a want of the usual personal courtesy shown to him in not informing him of the intention of the hon. and learned gentleman to bring up this petition. He was happy that he chanced to be present. Any portions of the correspondence with his excellency Lord Charles Somerset might be obtained, as he would make no opposition to any proper motion submitted for that purpose. The case of the petitioner was a matter of some notoriety, and in all probability the report of the commissioners would contain much reference to it. As to the production of the report, there were circumstances which had tended to delay it. Mr. Biggs had been sent out to review the judicial institutions, with the design of assimilating at the earliest possible period the Dutch and English law. The health of Mr. Biggs failed, and that object was delayed. As to the abuses of the commissariat, he had heard nothing of the charges before. As to the exchanges, government, by a late regulation,

had taken away the possibility of any suspicions of unfairness in future. But if the charges were true, in God's name let them be regularly made and proved. Upon the subject of appeals, and the anecdote of Dune's horse, he cautioned the house and the country not to give full credence without more evidence. There seemed to be a certain degree of conspiracy prevailing against Lord C. Somerset. But the petition professing to be against the governor went against the constituency of all the judicial authorities, and it was unfair not to distinguish in such a complaint between the acts of the governor and the defects of the Dutch law. He was not responsible for the want of facilities for complaints against the law and authorities before the commissioners. They were sent out to inquire, not into every case of grievance, but to discover the easiest and safest method of bringing about a speedy amelioration of the whole system of government in that colony. The house ought to be aware of petitions urged on individual suggestion against persons holding high and responsible situations under the government, and within the regular control of parliament.

Mr. Brougham said, that he would take an early opportunity of putting the sincerity of the hon. gentleman to the test, in his offer to produce the correspondence. Would he, to begin the experiment, produce the correspondence of Sir Rufane Donkin? He should very much like to see the correspondence of Sir Rufane Donkin with Lord C. Somerset produced. If after this it were refused, he should know what to think.

Mr. W. Horton declared that he was utterly unconscious of any correspondence of Sir Rufane Donkin being in his office, which specifically charged Lord Charles Somerset with any thing.

Mr. Brougham said, that he did not at first believe that government would be willing to give up the correspondence. The hon. gentleman chose to qualify it in a manner which he (*Mr. Brougham*) did not, he having only spoken of the correspondence without saying that it contained any specific charge. By the conduct of the hon. gentleman he was confirmed in his first belief.

Mr. Baring said, that the present debate was a proof of the bad system which had been set up for the government of this colony. Formerly, this country colonized upon a different plan; and by giving better institutions, she had established one colony, the power of which was likely to transcend that of any other state in the world. Latterly, the government seemed to have adopted the Spanish principle of colonies, and a little despotic system of government was set over each of them. One thing he would recommend for the consideration of the commissioners—if this colony could not be benefited by extending to it the privilege of a representative system. Until something of this kind were done, there must be a constant recurrence of abuses; and as long as the power remained despotic—no matter who was chief governor—it was not in human nature that it should continue for any time in exercise without abuses.

Mr. Hume was afraid that there was no very well-founded hope of

seeing any report from these commissioners. He had seen a gentleman from the colony very recently, who had assured him that there was nothing there but arbitrary and despotic power. Any one obnoxious to the government authorities was removed without difficulty. This petitioner was banished for five years merely for sending in a memorial. Did the governor send home any copy of it, or of his own proceedings upon it? What grounds did he give, then, for his own sentence? The honourable secretary would find that the same opinions pervaded all minds in the colony. The 10,000 dollars for the governor's horse were considered there as a most unquestionable bribe for the settling of an appeal in favour of the purchaser. The colonists looked upon themselves as persons being under a corrupt and despotic government. He had entertained some hopes of *Mr. Biggs* before now: recent accounts had almost proved to him that they were groundless. Let the honourable gentleman look well to it. Property would not be embarked in any undertaking on those shores, while the rights of property and of personal liberty were so much at stake. *Oliver*, who now called himself *Jones*, was in the office of surveyor of lands. He had considerable power, and he certainly did not fail to abuse it. He (*Mr. Hume*) assured the house that he advanced what he had offered upon the testimony of men whose veracity had never been doubted.

Mr. W. Horton advised the hon. member to move for such papers as he thought necessary, giving the customary notice. He was not there to stand up for the system

tem of Dutch and Roman law, which he admitted to be bad. But the government had taken the very course now prescribed. It had not only appointed commissioners to make a general investigation, but it had within these few months, of its own free motion, directed that there should be a council appointed to act with the chief governor, and that they should take and remit minutes of their proceedings, bringing the colony, as far as they could, into conformity with the system of Indian government.

Mr. Ellice said, that government ought certainly to effect a revision of colonial law. Most of the colonies were governed by some old system now got into disuse in the countries from which the laws were derived. In the French colonies the old Bourbon law prevailed, though that was rejected at home in favour of the code Napoleon. And now upon a case of any complexity, even the French themselves could not agree upon the proper interpretation of it. Another great evil in matters of colonial law, was the fluctuation of the orders in council, which strangely unsettled it.

Mr. Brougham said, that by moving to refer the petition to a select committee, it seemed that he would be doing that which best suited the views of all parties. Lord C. Somerset ought not to be the sport and victim of charges loosely ventilated in this house. If those charges were untrue, they ought to be able to punish the authors of such gross mistatements. Lord C. Somerset ought to challenge investigation, and government ought to wish for it. He wanted to have the opportunity of

inquiring for himself in a committee. He would for the present content himself with having the petition laid on the table, and printed.

Dr. Lushington rose, pursuant to notice, to present a petition from two persons of the names of Escoffery and Lecesne, complaining of having been, without any just cause, sent out of the island of Jamaica, in 1823, by the Duke of Manchester.

Mr. W. Horton wished to know what motion the learned gentleman meant to found on that petition.

Dr. Lushington said, it was his intention to have it referred to a select committee; and he wondered, after the discussion which had formerly taken place on this subject, that the honourable gentleman should have asked the question. He would have brought the subject before the house at an earlier period, if it had been in his power. In his view of the question, it was of very considerable importance to the safety and prosperity of the colonies in general, and to the colony of Jamaica in particular, that this case should be investigated; for it certainly disclosed one of the greatest outrages that ever was committed on British subjects. It might be proper to state, that the population of Jamaica consisted of 360,000 blacks, 36,000 free men of colour, and 25,000 whites. These 36,000 men of colour had long been under the most heinous disabilities. No farther back than 1813 were they, for the first time, allowed to bequeath a sum of two or 3,000*l.*, if by their industry they had amassed so much. They were prohibited from giving evidence against whites,

whites, and they laboured under several other oppressive regulations. Those persons paid all the taxes, they subscribed to funds for the furtherance of education, and for the support of religious institutions, and yet they were not allowed to have any share in the elective franchise. In that situation they stood at the present moment. There was another and a most extraordinary law, by which they were much affected. A white alien could not be convicted on the evidence of a slave; but a coloured alien might. An attempt was made, in 1822, to get rid of those disabilities, which led to considerable discussion. That effort, however, had failed. Now he thought that any man who considered for a single moment how exceedingly important it was, not only to the interests of justice, but to the safety and preservation of this colony, to consult the good wishes of this large class of the population, who at that moment enjoyed their freedom, who were possessed of property, and who were daily increasing, not in the ordinary course of population, by the addition made amongst themselves, but also by the increasing offspring from whites and blacks, must see the necessity of treating them with kindness and consideration. Those persons were allowed to serve in the militia, and to hold the rank of sergeant. They were trained up in, and they understood, the art of war; and on their fidelity and allegiance the safety of Jamaica depended. If they were, by acts of oppression and injustice, driven into hostility towards the government, then the safety of the colony was endangered. Up to the present moment,

there had not been imputed to this class of persons the slightest disposition to commit any offence against the government, or the slightest wish to promote insubordination. All the writers and authorities on the subject of Jamaica, from the earliest time to the present, concurred in stating that their loyalty and steady attachment to the government was unimpeached and unimpeachable. Mr. Bryant Edwards spoke in the highest terms of those people. The secret committee appointed last year, in Jamaica, to inquire into the cause of certain disturbances which had prevailed there some time back, reported, in strong terms, that the coloured inhabitants deserved well of the community in general for their irreproachable conduct. The committee used this language:—"The committee cannot close their report without bestowing its praise on the zeal and alacrity manifested by the free people of colour. The good conduct which they evinced was of the utmost importance to the colony, and identifies them with those who are most intimately connected with its interests." In the month of November last, the house of assembly, after inquiring into all the circumstances of the preceding disturbances, praised those people for their loyalty, and for the active zeal which they had displayed in the service. Yet it was on two persons of this class, so highly praised, valued, and esteemed, that acts of the greatest injustice had been practised. There were, in the population of Jamaica, four intermediate classes, between absolute darkness and whiteness. First, the mulatto; second, the gardoon; third, the mustee; and fourth,

fourth, the marzta. It seemed that freedom in that island depended entirely on the relative fairness of the skin. But it was a fact, that though colour produced disabilities in Jamaica, it did not produce any in England. One individual of colour held a post in his Majesty's government; and another had arrived at high rank in the army, and had formed a connexion with a branch of the other house. Here those persons were treated as gentlemen, and had all the respect paid to them which their personal qualities and their propriety of conduct entitled them to. The learned gentleman then proceeded to state, that the petitioners, Messrs. Escoffery and Leceane, were, in the month of October, 1823, put under arrest; but, on the business being heard before the proper law authorities, they were set at liberty as free-born British subjects. They were, however, again arrested on the 29th of November, and banished as aliens. Now, it was admitted on all sides, that they had, from their infancy, resided on the island; and the point agitated against them was, that they had not been domiciled there till they were two years old. He, however, did not care whether the period was three or four years; for it was notorious, that when they were school-boys they were domiciled in Jamaica. They had, in 1815, taken up their freedom, and they had served as sergeants in the militia. In short, they had resided on the island for 25 or 26 years; but they were, notwithstanding, under the power of the alien act removed from that country, and deported to St. Domingo. The provisions of alien acts, either here or in Jamaica,

ought to be administered with caution; and he was sure it never was intended, either here or there, to give to government the power of inquiring into the birth of individuals who had resided in the country for near 30 years. It certainly never could be meant that the government should be at liberty, at such a distance of time, to call on an individual to prove his birth—when, from various circumstances, he might not be cognizant either of the time at which, or the place in which, he was born. Yet, such was the course pursued towards the petitioners; and he must say, it was an exercise of the power of the alien act, under the government of the Duke of Manchester, which really astonished him. Now, what was the charge against these persons? It was contained in a letter written by one of the government collectors, and dated the 30th of September, 1823, in which an accusation was made against them for raising money, ostensibly for a religious society, but in reality to procure arms. Now, this was unsupported by evidence. There was not a single word to prove one tittle of this assertion. He had himself seen all the papers of this religious society, which fully accounted for all the money they had received and expended. It was complained that this society placed too much confidence in those persons. But who were those in whom the confidence was reposed? Why, in those very people of colour whom the assembly of Jamaica described as most zealously attached to the peace, security, and happiness of the colony. This was no blame to them, but a matter of praise and honour.

honour. It was also said that those parties kept up a correspondence with certain French whites, which was injurious to the government. But of this no proof had been adduced. And yet, without any evidence of these facts, these men were sent away from their wives and families—they were torn from their nearest and dearest connexions. Without giving this letter any further consideration, or causing any examination to be entered into, or any inquiries made respecting it, the Duke of Manchester allowed himself to sign an order for taking up these individuals, Escoffery and Lecesne, from their business, their families and homes, and deporting them to St. Domingo. It was impossible in all these returns—the papers which he now held in his hands—to find, however, a single atom of testimony that bore against them. If there was any such evidence in existence, or any fact that could be produced, it ought to have been, undoubtedly, included in these returns, because the whole evidence had been moved for, and the whole ought, in justice to the Duke of Manchester, to have been supplied. Now who were they whom his grace so ordered to be deported? Two men resident in Kingston; one of them possessed of 14 slaves, the other of 5: both well known and respected, and carrying on a large wholesale business as distillers—not a petty little retail trade, but an extensive concern. Without giving them time to settle their affairs, or arrange their accounts, or to take leave of their families and friends, they were hurried away by virtue of this extraordinary order from the island of Jamaica, and forcibly

transferred to another place. The remainder of this history was of an important but of a very distressing character. Mr. Barnes, who was at that time in Kingston, and who had the order for taking them up, wrote shortly afterwards to this effect, in a letter which was among the papers:—that notwithstanding he had such orders, he had not yet taken up these parties; that he would be disposed to adopt any legal measures to prevent their going away out of the island; and that being married men, they would be sure to have many friends in that country. Why, most likely they would; and it was just the most improbable thing in the world, on a similar account, that they would submit very quietly to an unwarrantable order of deportation. Mr. Hector Mitchell in his evidence stated, that he thought it necessary to preserve a strict secrecy, and was altogether silent on the subject of the testimony against them. Yes: all was, indeed, silence and secrecy as to the true motives which had excited these proceedings. The warrant having been issued against them, however, it would seem that the Duke of Manchester considered himself bound to carry it into execution; and that he thought, seeing that he had ordered them to be carried out of the country, that no considerations of private interest or property should be allowed to interfere with their sentence. They caused a petition to be prepared on their behalf, representing to the duke that they had privileged papers. Now the house ought to be informed of the meaning of this description. Every person of colour, claiming to be free, before he

he could give evidence, was obliged to go before the court, and there prove that he was a British subject, and entitled to his privilege. Now these two individuals, Escoffery and Lecesne, went before the court in 1814, nine years prior to the transactions of which he (Dr. Lushington) was now speaking, and had obtained their privilege, upon the affidavit of the father of one of them, and on other evidence. Now, to free men of colour this privilege, by the law of Jamaica, could not be granted, unless the court before whom the application was heard were unanimous in their determination to grant it. And, strange to say, Mr. Barnes himself was one of the magistrates who granted privilege, on this very occasion to which he had been just alluding, to Lecesne. He himself was present when that privilege was conceded which he afterwards impeached. But what was done by the duke of Manchester in reference to the petition of Lecesne and Escoffery? The duke immediately referred the petition and the accompanying affidavit to Mr. Hector Mitchell and Mr. Barnes the mayor of Kingston, being the persons who had already presented the papers which he (Dr. Lushington) had referred to, and who had acted in the manner which he had mentioned. What chance of justice had they when their petition was referred to those who had already complained of them in this way; and who were now to report on their petition, without hearing a single word of the evidence they had to offer, or instituting any thing like an investigation into their case? The duke's letter to Mr. Mitchell and Mr. Barnes of

the 8th of October, exhorted them to confine their inquiries to a single point,—namely, whether or no the parties were aliens? If it should appear that they were, then the order which had been made out to the provost marshal must be carried into effect. They were therefore immediately to make inquiry as to their country. As to Lecesne, the official copy of the will of his father showed that he was not born at St. Domingo, but in Jamaica. That will, too, declared that his son should be the executor of the deceased; it vested in him the care of his younger brothers, until they shall have attained a certain age; and directed that the whole property should remain in his (Lecesne's) hands for a period of six years at least. A strong reason for this sort of disposition was, that by the law of Jamaica an executor was entitled to 6 per cent. on the amount of property he administered; and a testator was always anxious, therefore, in that island, that his executor should be one of his family; because by the whole of the estate passing through such hands, a considerable saving of expense was effected as regarded the parties intended to be benefited. Then, as to Escoffery, he was a foreigner upon the showing of the report itself, which stated that satisfactory affidavits cleared proved that he had been unsuccessful in a former attempt to obtain privilege papers, and in fact had not obtained them. This statement would be found at page 28 of the printed papers. Nothing could be more gross than the conduct and the evidence which were here exhibited. Mr. Mitchell and Mr. Barnes were thus deceiving the Duke of Manchester, and getting up—whether from motives

of private pique, or with what other personal views, it might be easy, perhaps, to discover — a statement which in their own conscience they well knew to be false. They well knew that Escoffery was not an alien, and that he had obtained his privilege papers. But here he should perhaps be asked by his hon. friend opposite, how it could be imagined that two gentlemen, one of them a magistrate of Jamaica, the other mayor of Kingston, in that island, could have any interest in fabricating a false report on a petition of this kind? Perhaps there might be some cause assigned for the grossness of their interference, and the persecuting spirit they had manifested. (The hon. and learned gentleman then entered into some details of a law-suit which had been instituted some years since, wherein Louis Nicolas Regnier and Mary Hall were plaintiffs, and Mr. Barnes and another defendants. In that case it seemed that an estate had been devised by the father of these parties, upon which Mr. Barnes had asserted a claim of 4,000*l*. There was a long litigation about the matter, which was finally heard before the governor in council; and the council declared the claim set up to be a most gross fraud altogether. That case began in 1808, and ended in 1818, favourably to Leceane, as one of the parties interested.) He (Dr. Lushington) was obliged to infer, that some such circumstance as this it must have been that had induced Mr. Barnes to act in regard to these two individuals in a manner so derogatory to the interests of right and justice, and so highly reflecting upon his own honour. In all that he (Dr. Lush-

ington) should say on this subject, he would be very cautious; and indeed he had not advanced a single syllable that he did not conscientiously believe he could satisfactorily prove. He had taken great trouble in the case, in order that he might be enabled to declare, as he now did upon his honour, that such was the conviction of his own mind. He had seen these individuals some thirty times, and examined the whole case with the utmost minuteness. The hon. and learned gentleman proceeded to give a history of the proceedings which on a former occasion, in October, had been had upon the application before the supreme court, Jamaica, to bring up the parties by *habeas corpus*. That application was signed by no less than five magistrates; and among others by a member of council, and by Mr. Hall; and these petitioners expressed a concurrent opinion that Escoffery and Leceane were not only British-born subjects, but perfectly free from all blame in these transactions. The house would have observed that the Duke of Manchester in the first instance had issued his warrant to the provost marshal, and yet at the foot of the same petition they would find the marshal's own name, Angus Kennedy. This petition, thus respectably signed, the duke treated as nothing—as unworthy of any serious consideration; and affected indeed to suppose that it came principally from creditors interested in the affairs of the distillery. The fact, however, was, that of the 35 or 36 petitioners, 5 only were creditors, and those not to a greater amount than 25*l*. The two men themselves bore a very good character, not only for their

commercial dealings, but for their conduct in the militia. Mr. Hall had also borne testimony of his very good opinion of and confidence in them; but, notwithstanding all the testimony in their favour, the Duke of Manchester had thought proper to act upon an impression of a precisely contrary nature, and unsupported by any kind of investigation whatever. Upon the hearing on *habeas corpus*, the court discharged both individuals. The affidavits adduced by Lecesne established in the strongest manner the fact of his being a British-born subject; and besides the evidence then given by the woman who had accompanied his mother when she was pregnant with him, to St. Domingo, he (Dr. Lushington) had succeeded in obtaining the original bill of the accoucheur who attended her, properly verified in Jamaica. On behalf of Escoffery 10 or 12 affidavits were given in to the same general effect, and so conclusive that they really required no comment. Against Lecesne's affidavits some evidence was relied on by the Duke of Manchester; first, that of a Mr. Villegrene; and, secondly, that of Eliza Hinds, a woman who said she had been on board ship at Hayti with his mother, and that in Hayti he was born. The hon. and learned gentleman then went into an examination of this and other adverse testimony, and established the fact of Lecesne's birth in Jamaica, and of their consequent falsity. Finally, it seemed that the court of king's bench, consisting of Mr. Scarlett, Mr. Mills, and Mr. West, upon the argument, ordered his discharge. Upon that occasion the two individuals went up to solicit

such discharge, prepared to offer bail; they took with them six freeholders for that purpose, and Mr. Hall appeared as one of them. The chief justice said, that the court required no bail, for no offence had been committed. But what were the subsequent proceedings, despite of this decree of the court? In the house of assembly, Mr. Hector Mitchell moved for a secret committee, which was granted. He was appointed the chairman: Mr. Barnes was named next; and next, two others who had been retained as counsel against them. Now what did this secret committee proceed to do?—to investigate this case?—to examine into the truth of the statements that had been made against Lecesne and Escoffery? No; they did not call a single witness on behalf of those persons; they proceeded in a way that must disgust every hon. gentleman who heard him, accustomed as we in England were to a pure administration of justice. Upon the equal superiority of its administration in the colonies the hon. gentleman (Mr. W. Horton) might be assured that our colonial greatness depended. The committee, however, made a report, in which they stated that having taken the examinations of several persons at Kingston, it appeared to them that an improper correspondence was kept up between some people of colour there and the emissaries of Boyer; that secret meetings had lately taken place likewise: and lastly, it was suggested that Lecesne and Escoffery were very dangerous characters. Another secret committee at the same time reported, in terms of the highest encomium, on the good dispositions and excellent conduct

conduct manifested by the whole black population of the island. On the 28th of November, the duke issued his warrant for the deportation of these individuals; and he (Dr. Lushington) must say, that this order was executed with as much cruelty and severity, as it was in itself unjust and inhuman. And here he would just beg to ask, upon what principle of law it was, that after their discharge by order of the court of king's bench, the reports of a secret committee, or examinations before the governor in council, in the case of these individuals or any others, were to overthrow the decrees of established courts of justice, and to introduce a system of proceeding, not only unconstitutional, but in itself abhorrent to every principle of rational justice or equity. The hon. and learned gentleman then again adverted to the law of Jamaica, in respect of the privilege papers of free people of colour, contending that the attorney-general of the island in either case—that was, whether Lecesne and Escoffery were British-born subjects or aliens—was in error if he had recommended the measure of deportation; because the secret committee asserted that they proceeded on the evidence of a slave named Carbury, and his hearsays from one Baptist, a fellow of notorious bad character, as to the charge of Lecesne and Escoffery's supplying arms. Now an act of parliament, it was well known, provided, that a free man of colour might be prosecuted, convicted, and executed upon slave evidence. The attorney-general would have had nothing to do therefore but prosecute in the usual manner upon slave-evidence in this case.

The hon. and learned gentleman, after remarking on the enormous facility with which convictions could unhappily be obtained in Jamaica, and the avidity with which executions were looked for, stated what had been the sufferings of the two individuals he was speaking of, on their reaching St. Domingo, where they were disowned by the government, and even suspected, until they showed a report of the proceedings which had been had in court on their being brought up by *habeas corpus*. They were in Hayti compelled to sell their clothes and watches; and were only able to subsist, and provided with a passage to England, by the generous subscriptions of a few British merchants resident at Port-au-Prince. The hon. gentleman then proceeded to call the attention of the house to the conduct of Mr. Hector Michell towards the petitioners. He offered to two of their slaves 600 dollars to give false evidence against their master, and threatened them in case of their refusal with a barbarous punishment. He carried his threats into execution by committing one of them to prison for seven months, during the whole of which he was kept in a condemned cell, and was not suffered to leave it even for the purpose of taking a walk in an adjoining court. The other was kept in similar confinement for more than ten months, and when the slave court was held, both of them were discharged by proclamation: for by the slave law of Jamaica, a slave could be imprisoned six months, at the end of which time, if there was no prosecution against him, he was discharged by proclamation. The slaves who had

had suffered this cruel treatment had arrived in the course of the present week. He (Dr. Lushington) had examined them, and he was perfectly ready to produce them before a committee of the house, if the opportunity of doing so should be granted him. He was quite convinced that no man could see and hear them without being satisfied of their veracity. Another evidence he should have to submit was a poor Irish boy, who had been abandoned in the streets of Jamaica, where he was famishing and suffering under a bad fever, when he was found by one of the petitioners. This boy remained under his roof until the period of his deportation, when he attempted to accompany him; but being prevented, he worked his way to the place where he met his preserver. This boy, who was remarkably acute, he (Dr. Lushington) had also examined, and he would without fear submit his testimony to any scrutiny that might be thought fit. He felt himself now obliged to say, and he did so with considerable pain, that a very great portion of the blame in these transactions devolved upon the Duke of Manchester, who appeared not to have merely acted under the bad advice and the misrepresentations of others, but to have made himself a party in the cause. He had even gone so far as to make assertions which he (Dr. Lushington) had reason to believe were not founded in fact. He (the duke) stated, that it had been proved beyond all doubt that the petitioners were aliens—an assertion which could not be true, because it was directly at variance with the decision of the court of king's bench and the evidence before the

house. He concluded his dispatch by saying that he should not have thought it necessary to make the details which it contained to their lordships, but that he had believed it was the intention of the petitioners to make some application to them. Not necessary! Could the Duke of Manchester imagine that it was not necessary for him to explain to the British government the grounds upon which he had thought fit to transport two of the subjects of that government, at five minutes' notice, from the island of which they were natives—to bar them from their wives and families, and to plunge them in almost total ruin? He (Dr. Lushington) should tremble at the consequences of such a policy as was here avowed by his grace. Upon the statement which he had made, he submitted to the house that it was quite obvious that the whole proceeding was unjustifiable, and that nothing which appeared in the evidence on the table could afford the shadow of an excuse for it. The report of Mr. Burge, the attorney-general, upon which the Duke of Manchester relied, was, in many respects, wholly false. It was conveyed in such terms as he (Dr. Lushington) should have thought no man in his situation would dare to use. He talked about "the difficulty of bringing before a court of justice evidence to prove the fact of the conspiracy which he charged to have existed; because the persons who could give that evidence were either parties concerned and would not attend, or slaves whose evidence could not be received." This was false in every respect—it was false from beginning to end; for the former

former could have been compelled to give evidence, and by the statute law the testimony of the latter was directed to be received in all cases like this. He (Dr. Lushington) would, however, detain the house no longer with comments on these papers, every line of which provoked a comment. He would only call the attention of the house to the gross violation of justice which had been perpetrated against the two petitioners who now called for redress—who at the bar of the house presented an unanswerable case of oppression, and who complained that they had been ruined in their fortunes, and that their families had been plunged into irretrievable misery. Never could the British parliament be better employed than in investigating complaints and redressing the wrongs of petitioners in any part of their dominions. Still more urgent was the claim of these petitioners, because it was evident that by a gross abuse of power, and an utter disregard of the principles of justice, such as had been displayed upon the present occasion, the allegiance of the free coloured population of Jamaica must be alienated from the government; and the result of that could be no other than the total ruin and destruction of the British power and property in the island. The hon. member concluded by moving for a select committee to inquire into the circumstances attending the deportation of L. C. Leceane and J. Escoffery from the island of Jamaica.

Mr. Wilmot Horton rose for the purpose of offering to the house some explanations, as from the office he held he would be

expected to do, on this subject. He had in the first place, however, to observe, that he thought his hon. and learned friend had not stated this case with his usual candour, because he had omitted to inform the house of a material fact. In a conversation with his hon. and learned friend, he had informed him that it was not upon the papers before the house that the case rested in any degree whatever. There was other evidence which it was not considered consistent with the duty of the secretary of state to give out for general publication. Surely his hon. and learned friend ought to have stated this as well as the further one, that he (Mr. W. Horton), so far from objecting to the institution of proceedings which should be likely to obtain substantial justice, had told his hon. and learned friend that he would consent to the appointment of a secret committee, before which all the papers might be laid. His hon. and learned friend had said, that he (Mr. Horton) was there to defend the proceedings which had been taken against these petitioners; but he begged to disclaim any such intention. He was there only to defend the Duke of Manchester for the course which he had adopted. That course had been founded mainly on the fact of the petitioners being aliens, which the evidence had al- luded to would establish beyond all doubt. He passed by the topics which his hon. and learned friend had introduced into the beginning of his speech, respecting the condition of the free coloured people of Jamaica. It was enough for him to take things as he found them. The free coloured

coloured people of that island were under certain disqualifications, but that circumstance did not free them from their allegiance to the government. The important question upon which this turned was, whether a conspiracy against the government actually existed; and whether the petitioners were parties to that conspiracy. This question could only be decided by the production of the evidence he had alluded to before a secret committee, because it was impossible for the house, or for any committee of the house, to decide upon the conflicting testimony now upon the table. At a period to which the transactions referred, a strong feeling of alarm prevailed at Jamaica. If any body doubted the reasonable grounds of that alarm, he could refer them to a letter written by Mr. Samson and Mr. Scoller, the chairman and secretary of a committee of free coloured people, to Mr. Wilson, in London, in which they spoke of their "long endurance under an oppressive tyranny, which one energetic effort of their own would suffice to overthrow or destroy." Was it unreasonable to suspect people avowing these sentiments of being engaged in a treasonable conspiracy? The grounds, however, upon which the Duke of Manchester took the step of transporting the petitioners proved to be aliens, were those of an overpowering public necessity. The house of assembly and the council had reported, without one dissentient voice, that the petitioners were engaged in a treasonable conspiracy. What ought the Duke of Manchester then to have done with persons so dangerous—and how great would

have been the responsibility he must have incurred, if he asked otherwise? This course was sanctioned also by the advice of all the officers of the government in the island; and although his hon. and learned friend had not scrupled to apply to them terms of reproach, he was wholly at a loss to know upon what the charges his hon. and learned friend had brought against them were founded. The attorney-general, whom his hon. and learned friend had charged, together with others, with having put into action that monstrous scene of iniquity he had detailed to the house, had always hitherto been acknowledged to be a person of ability and character. He strongly recommended the course which the Duke of Manchester had adopted, and his opinion had been borne out by that of every other person on the spot who had means of forming a correct judgment upon the subject. If the petitioners were innocent of the charges against them, there could be no doubt that they had been very hardly used, and that they were entitled to redress. But he must remind the house and his hon. and learned friend, that the opportunity for obtaining this redress had been offered to him, and although not in the exact manner he wished, yet it was in a way calculated to do full justice. Until this was done, the opinion of the house must of necessity be suspended, and its judgment in abeyance, because the facts of the case were not before it. If Mr. Hector Mitchell had been guilty of the atrocities laid to his charge, God forbid that he (Mr. Horton) should say one word in his justification: but to believe that he had done

so, would be to believe that all the persons, whose duty it was to watch over the administration of justice in Jamaica, had neglected their duty in a most extraordinary manner. But whilst the charge of falsehood was thus copiously made against others, was all that the petitioners had stated true? They had said that they were never engaged in any illicit traffic with St. Domingo, and that they had never carried on treasonable correspondence — statements, the utter falsehood of which the evidence he had alluded to would establish, and prove, on the contrary, beyond a doubt, their traitorous intentions. His hon. and learned friend laid great stress upon the petitioners having obtained their privilege papers, and had inferred that they could not have done so unless the fact of their birth in the island had been satisfactorily proved. He held, however, in his hand a paper, in which it was distinctly stated, that the certificates in question had been granted without any inquiry into that fact. This was upon the authority of the attorney-general. If the house were prepared to believe that the house of assembly and the council had conspired to falsify the evidence on the case of the petitioners, and that the Duke of Manchester had lent himself to aid their deportation out of the country, then something like a case might be made out: until then, and he thought there was no present probability of any such event, the house must suspend its opinion. The evidence of which he was in possession was so satisfactory to his mind, and his knowledge of the private character and amiability

of the Duke of Manchester was such, that he would not concur in any censure, implied or otherwise, which, upon grounds like those before the house, it might be attempted to pass upon him. He would never advocate (in the present instance he had done directly the contrary) the keeping back any evidence which was necessary for the ends of justice. He left it to the house, without hesitation, to decide whether the statement of his hon. and learned friend had established any thing like criminality against the Duke of Manchester.

Mr. Scarlett said, he thought it appeared probable that the Duke of Manchester had been misled by the persons whose duty it was to advise him; and he understood the arguments of his hon. and learned friend to apply rather to those individuals than personally to the duke, who could not be supposed to be actuated by any thing but a desire to do justice in the administration of the trust reposed in him. The hon. gentleman (*Mr. Horton*) had alluded to documents not before the house; and without intending to say more of them than he was warranted in, he could not help observing that some circumstances connected with the evidence produced tended to throw discredit on the sources whence the other must be drawn. He (*Mr. Scarlett*) had read the whole of the evidence attentively; and he had been induced the more particularly to do so, because a near relation of his own (*Mr. chief-justice Scarlett*), to whose learning, capacity, and integrity, he was glad of any opportunity of bearing testimony, had sat in judgment on the subject. There were

were some circumstances in the evidence which excited strong suspicions in his mind. On the application for the *habeas corpus*, it appeared the strongest evidence against Lecesne was the affidavit of his sister Lucille, who swore that he was born at Port-au-Prince. Lecesne brought three persons to swear that Lucille told them she had been induced to swear to this, which she knew to be false, at the persuasions of a Mr. Villegreme, who told her if her brother was shipped off, as he would be, in consequence of her affidavit, she would become entitled to one half of her father's property; and threatened besides, if she did not make this affidavit, that she should be imprisoned. Now, although the court had in the first instance granted a rule to show cause, no attempt had ever been made, either by Lucille Lecesne, or by Mr. Villegreme, to contradict the very heavy statements which were made against them. The observations of the attorney-general on this subject were somewhat singular, for he expressed his astonishment that the court had in their decision paid no more attention to the affidavits of Mr. Mitchell, who was well known to them to be a most respectable person, and of Mr. Innis, a police-officer; as if it was the practice of judges to be influenced by the character of witnesses who made affidavits, instead of by the facts which those affidavits contained. While this imputation of Mr. Villegreme's having suborned perjury against the petitioners remained, he (Mr. Scarlett) should suspect whatever came from the same source. It was impossible for the house to pay too much attention to appeals of a description.

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tion like the present; as it was well known that, in the colonial assemblies, the coloured population was far from meeting with any thing like liberal consideration.

Mr. Canning said, that under all the circumstances, however he might have been disposed to prefer the course suggested by his hon. friend (Mr. W. Horton), he should not now oppose the appointment of a select committee. The short question upon the present charge, as it applied to the conduct of the Duke of Manchester, was, whether the duke had or not treated British subjects as aliens only could lawfully be treated; that was a simple question, and one easily capable of proof, but one which certainly was neither proved nor disproved by the evidence before the house: in one admission, however, all parties must agree—that when the Duke of Manchester came forward, offering to waive the privilege which his absence gave him, and submit to clear his conduct by a trial by law, he did entitle himself, so long as the question was pending, to the suspension of every thing like severe or unkind judgment against him. The hon. member for Peterborough observed, that if the Duke of Manchester had done wrong, he had probably been misled. In this opinion he (Mr. Canning) entirely concurred; but it was yet to be shown that the duke, in what he had done, had exceeded his authority: and that he himself entertained no apprehension as to the result of his conduct, was at least to be presumed from the readiness with which he courted inquiry into it. The main feature in the case then came on to be considered—to wit, what there

there had been in the conduct of other persons apart from that of the Duke of Manchester, which afforded ground for complaint; and upon that point he was free to say that government had at least so far thought there was ground for investigation, that the commissioners in the West Indies had received instructions (and in about a month hence they would be in Jamaica) to examine into all the circumstances, and report generally upon the transaction. In this situation, therefore, he was not prepared to deny that further elucidation upon the subject was due to the satisfaction of the house; but if the motion of the hon. and learned member for a committee was agreed to, it ought in fairness to be understood that the Duke of Manchester's offer with respect to a trial at law ought not to be taken advantage of. It was farther to be recollected, that at so late a period of the session, and considering the distance from which all evidence would have to be obtained, no committee could be appointed with any advantage until next year. If it was agreed to defer the committee until next session, the report of the commissioners, and all other necessary evidence, could be procured in the meantime, and there would be no difficulty then in instituting an inquiry as ample as the hon. and learned member (Dr. Lushington) could desire.

Mr. Brougham rose to request his hon. and learned friend (Dr. Lushington) to accede to the proposition of the right hon. gentleman opposite, which he thought, the state of the session considered, was the best calculated to do

substantial justice. As the evidence stood, the transaction was a most iniquitous one, and he totally differed from the right hon. gentleman as to the view which he took of the conduct of the Duke of Manchester. These three points would have to be made out—first, that there had been proof that the complainants were aliens; secondly, that there had been the sedition imputed; and thirdly, that there had been ground for sending them away without being heard in their defence. Now, as the case stood, it was nonsense to talk of conflicting evidence; the proof of the birth was as clear as could be desired. What might arise out of the papers further to be produced, he could not judge; but the matter stood as he described it at present. With reference to the postponement of the committee, he would farther just observe, that there were two witnesses whom it would be necessary to produce, and who had been in England some time. Those persons had hitherto been supported by the charitable contributions of individuals; but certainly, as this delay was to take place, some means of existence ought to be afforded them by parliament. For the other point to which the right hon. gentleman opposite had adverted—the abstaining (as inquiry was to take place in a committee) from any proceeding at law—he (*Mr. Brougham*) agreed that such an arrangement would be most convenient; but it must depend upon the consent of the complainants concerned.

Mr. Canning apprehended that that was the case, because it was only upon the Duke of Manchester's

ter's own offer to the house that any law proceeding could be taken against him while he remained in Jamaica.

Mr. Brougham observed, that that offer of the noble duke's had only been made lately. He trusted, however, that no other prejudice would go forth than what the circumstances of the case would warrant.

The postponement of the committee was agreed to without a division.

The Chancellor of the Exchequer moved the second reading of the Buckingham-house bill.

Mr. Bankes did not rise with the intention of opposing this bill; but he could not avoid expressing his regret, that a site had not been chosen on which a palace might be built more accordant with the opulence of the country, and more consistent with the dignity of the sovereign. He thought that Hyde-park or the Regent's-park would be much more eligible for the erection of a palace than that which was now fixed upon in Pimlico. Either of the former would be more consistent with the opulence of the country and the personal comforts of the sovereign.

The Chancellor of the Exchequer admitted, that it would be desirable to have a palace in which the dignity of the crown and the personal comforts of the sovereign might be consulted; but it was, he could assure the house, not the wish of his Majesty, in the arrangements now in contemplation, to infringe in any degree upon the conveniences of the public, by any encroachments on the parks. It would, no doubt, be desirable to have a site for a palace, in which accommodation might be afforded,

not only for his Majesty, but for the different branches of the royal family, the ambassadors, and the great officers of state. All this, no doubt, might be very desirable; and he had seen the splendid plans of Inigo Jones, for a royal palace, which he could wish to see erected, if it could be done with convenience to the public: but it could not be accomplished in Hyde-park, or any other of the royal parks, without infringing very materially upon the comforts of the public, which was in the habit of using those parks. Hyde-park would therefore be an injudicious selection, as far as the public was concerned, and particularly so as far as respected the sovereign himself; for though it might be desirable to have the residence of the King public, to a certain degree, it was also necessary that it should afford the means of privacy, as far as respected the personal comforts of the monarch himself. If the palace were built in Hyde-park, it would be necessary to have enclosures round it; and if plantations were now made, it would take some twenty years before they were of sufficient growth to secure that degree of privacy which it would be admitted was desirable in the precincts of a royal residence; and even this, if it could be acquired, would be a great encroachment on the accommodation of the public, whether it was in Hyde-park or Kensington-gardens. He could, in his closet, point out twenty plans which would be extremely desirable for a royal palace, but they would each encroach in some measure, either upon public convenience with respect to the use of the parks, or on the convenience of the principal officers

officers of state; for, one year with another, it would be found that the Regent's-park would be at rather an inconvenient distance for the despatch of public business. With respect to Buckingham-house, it might be said that there were inconveniences attending it, but there were advantages belonging to it, which could not be found in the other places that had been named. In the erection of a royal residence, he did not hope to reconcile the opinions of all; for on matters of taste, it would perhaps be difficult (at least it was so found in practice) to reconcile the opinions of any two; but he did hope, that on the general principle of having some place more convenient and more consistent with the personal comforts of the sovereign, all would be agreed. As to the abandonment of Carlton-house, he could state, that it did not arise from any capricious taste on the part of his Majesty. It might be said rather, that instead of his Majesty wishing to leave that house, the house seemed disposed to leave his Majesty. The lower part of the house consisted originally of offices, but was now changed to apartments where his Majesty resided; and it so happened, that the lower parts of the house (when his Majesty had company in the upper) were obliged to be propped, which, it would be admitted, was not very convenient for his Majesty's comfort. The house had not been furnished for these thirty years; and any one who had had the fortune of loitering there on public business, must recollect the fact of its being covered with London dirt, and have seen how unfitting it was in many other respects for

a royal residence. He did not give any opinion, for the subject was not now before him, on the question of expending a million, or a million and a half, on a suitable palace for his Majesty; but supposing such a measure were to be proposed, what was to become of his Majesty in the interim? And supposing the proposed improvements to take place, and that a royal palace were to be afterwards erected, the present buildings would not be lost to the country. It was not an improbable thing that we might have a queen dowager, or an heir apparent, each of whom would require a residence suitable to their rank in the country. It had been seen, before the late reign, that some of the royal family were lodged in Leicester-house, and other places the names of which he did not know, but which were greatly below their exalted rank in the country. As to Carlton-house, he would say, that by its removal (if it should be removed) an open view would be obtained from Regent-street to the park and the Horse-guards; and on that supposition, buildings might be erected which would be highly ornamental to the metropolis, and at the same time government might so dispose of part of the ground situate in that neighbourhood, as to produce an income sufficient to defray the expense of some of the projected improvements. If he were asked how he would dispose of part of the site of Carlton-house, if it should be removed, he would say, that it might be most advantageously applied in the erection of buildings for the accommodation of the Royal Academy and the National Gallery. For the former, it would

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be admitted that the Strand was most inconvenient; and for the latter, the British Museum, which had been suggested, was not the most proper place for that gallery, which was intended to be open for the public as one particular branch of the arts. With respect to the Royal Academy, one had to ascend, at its present place in the Strand, nearly 100 steps before they came to the exhibition rooms. This, he regretted, threw the exhibition in a great degree out of the reach of the old, the asthmatic, and gouty; and he did not see why they should be deprived of the facility of admission to such a place. He looked forward with pleasure to the removal of the exhibition to some more appropriate place; and he hailed with delight the expression of his Majesty's pleasure, that the site of Carlton-house should be appropriated for that amongst other public purposes. With respect to Buckingham-house, it was absolutely necessary, for the comfort of the sovereign, that some improvements should take place. It was, in its recent state, "desperate dirty," but the proposed alterations would enable the sovereign to have the opportunity of seeing his company in some of the finest apartments in any palace in the world. The expense, he would admit, might not be less than 200,000*l.*; but even if it were not to be the permanent residence of the sovereign, it would still be an ornament to the metropolis, and highly desirable for the accommodation of other branches of the royal family.

Mr. Banks, Sen. said, that the plan of the right hon. gentleman was liable to one serious objection.

The right hon. gentleman said, he intended to leave an open space where Carlton-palace now stood, and yet he talked of deriving a ground-rent from the buildings erected upon it. He should like to know how the right honourable gentleman reconciled so glaring an inconsistency. For his own part, when he knew that 800,000*l.* would enable the country to build a magnificent palace for the sovereign, he was averse to granting 200,000*l.* to the repairs of a paltry and insignificant palace.

The Chancellor of the Exchequer said, that he could convince the hon. member for Corfe Castle, if he had a plan of the ground by him, that he could derive a considerable ground-rent from the site of Carlton-house, without incumbering it with buildings. There were portions of ground now covered with old inconvenient houses, which belonged to different officers of the king's household. These buildings must come down, at any rate. It would be easy to make the space more open, and yet to derive from it a considerable ground-rent.

The bill was read a second time, and ordered to be committed to-morrow.

House of Commons, June 10.—The bill for the grant to the Duke of Cumberland was read a third time.

The smuggling prevention bill went through a committee.

House of Lords, June 17.—*The Marquis of Hastings* rose, in pursuance of the notice he gave yesterday, to introduce a bill to explain the clause of the act of the 13th George III., which had been supposed to limit the rate of interest on loans made in India to

12 per cent. He objected, in the first place, to the opinion given by the law-officers of the crown on the construction of the clause of this act. He paid the greatest deference to the opinion of those officers; but he must be allowed to dissent from it when he found it in contradiction with the system which had been acted on for half a century in India. It surely could never be maintained that the simple opinion of counsel, however respectable, should supersede so long a practice. This, it was true, was not likely to happen now; but there had been bad times, and bad times might return; but their lordships should be careful not to establish such a precedent. The opinion given purported that the clause in question extended to the whole of India—even to powers totally independent of the East India Company, than which nothing could be more unjust, when it was considered what the practice had been. The preamble of the act showed what the meaning of the clause was. It was made penal to take a higher rate of interest than 12 per cent., because, under the plea of interest, presents had sometimes been corruptly taken; but the framers of the bill never dreamed that they were competent to restrain British subjects from taking any rate of interest in the dominions of a sovereign independent prince, over whose states they had no authority. If this could be supposed, the greatest confusion and inconsistency would appear in the subsequent practice of the government of India. How could acts done in foreign independent states be made prosecutable and recoverable only in his Majesty's courts

in India. This would be to suppose that a penalty was enacted which these courts had not the means of inflicting. The noble marquis then proceeded to show that the construction put upon the act of parliament by the law-officers of the crown was inconsistent with regulations which had been subsequently made by the supreme government of India. These regulations had the force of law. They were not issued until after they had been registered in the supreme court of justice, and they were annually laid before parliament. These regulations had sanctioned the lending of money at a much higher rate of interest than 12 per cent. A regulation was promulgated in 1793, authorizing the recovery of interest at 24 and 27 per cent. Another regulation, made in 1803, extended the rate of interest to 30 per cent. These regulations, and the practice which had been constantly followed, clearly showed that the court of directors and the government of India had never understood the act to put any limit on the rate of interest, with respect to contracts made by British subjects domiciled in the territory of a foreign prince. On these grounds he submitted to their lordships' consideration a bill to amend and explain the act of the 13th of George III. After the first reading, he should move that the opinion of the judges be taken to ascertain whether the bill he now introduced clearly and effectually explained what ought to be the meaning of the clauses of the act relating to the rate of interest.

The bill was read a first time, and ordered to be printed.

The Duchess of Kent's and the Duke

Duke of Cumberland's annuity bills were read a third time.—
Adjourned to Monday.

House of Commons, June 17.—
The judges' salaries bill was read a third time and passed.

On the motion for the speaker quitting the chair to go into the committee of supply, Mr. Abercromby rose. It was perfectly consistent with the forms and precedents of that house, for any member to take the opportunity of the motion on which the speaker was to leave the chair previously to a committee of supply, to state any matter, which being in the character or having the appearance of a grievance, might still not be deemed worthy of the formalities of a specific motion. He acknowledged that every apology was due from him, for attempting to originate a discussion upon the subject to which he now invited their attention. The subject was that of a member of the house, a representative—he might say an ornament of the metropolis, and one upon whom the highest honours had been lavished by foreign princes. The house would see by this time, that he meant his gallant friend the member for Southwark. He wished to guard against any misapprehension. He was not about to say any thing which could tend ever so remotely to call in question the conduct of the commander-in-chief. He would be the last man in the house to originate any discussion which could have that tendency; nor was it his intention to call in question the exercise of the prerogative of the crown in relation to the dismissal of his gallant friend. They might differ very materially upon questions of prerogative, but

he hoped that those differences would not be allowed any place in this discussion. Nor did he complain of the opinions formerly expressed by any gentleman against his hon. and gallant friend, much less did he ask for any revision or retraction of such opinions. His object was to persuade the house to do honour to itself by expressing its sympathy for one whose eminent services and personal worth, whose noble soul and generous feelings, had endeared him to all who knew him, including a large proportion of that house. If, in the passages of his life which had been in the eye of the country and in the face of his enemies, some errors had been observed, even his enemies would admit that those errors resulted from the excess of a generous and gallant and ardent spirit, the transports of which merely wanted more control. His military career of 29 years was suddenly interrupted by a decree, which was not preceded by any court-martial. Looking at his whole career, his eminent qualities, his honourable and useful services, and his long military life, he would ask, had not his punishment been more than enough? Was he less cherished by his constituents? Was he less esteemed by the profession? Was the career which best suited his gallant spirit to be for ever closed? He was dismissed without the sentence of a court-martial. The house, being moved, refused to investigate his case. Many who now heard him could witness to the temper and moderation with which his gallant friend conducted himself on that occasion. It had been a source of gratification and pride to his friends, who then supported him,
ever

ever since. Many who voted against him from a sense of public duty, were ready to express their kindly feelings towards him, and their admiration at his conduct in that trying period. Considering the age of the individual, and that this was probably the last session of the parliament, he wished to appeal to the house, and especially to those members who were now engaged in the profession of his gallant friend, for some declaration of their kindness towards him. He saw about him some of the companions in arms of his hon. and gallant friend—some who had shared in common with him his trials and his dangers. To them he appealed, if, upon the late promotion, his hon. and gallant friend had been restored to that situation which he had attained by his brilliant and glorious services, would not the army have been gratified—would not his brother officers have been delighted? He abstained from particularizing the brilliant feats in which his hon. and gallant friend had been engaged. In any testimony which he could give, he ought to warn the house that he gave it in the spirit of a warm and ardent friendship which he felt for his hon. friend. He only wished the house to listen to the opinion of those who knew and could rightly appreciate the character and services of his hon. and gallant friend. If the expression of that opinion should be such as he confidently anticipated, then he knew the effect which it would have in its representation to the proper quarter. He wished not to be misunderstood. He was not suggesting to any member the performance of any thing which would

not as readily spring from the exercise of their own free will—much less did he seek by this to shackle the exercise of those powers which were vested with the crown and its ministers; but he spoke in reference to the known kindness of a benign sovereign, and his benevolent intentions to those who had faithfully and zealously served him. Such an act of grace and favour as that to which he alluded, would be most grateful to the house, highly satisfactory to the profession, and a matter of rejoicing to the country. He was not dictating any particular method for carrying this object into effect. He was only endeavouring to arm those upon whom the affair would devolve, with reasons for furthering the generous intentions of the sovereign to all his meritorious servants. If these suggestions should lead to the restoration of his gallant friend, it would make him happy to think that he had been the humble instrument for bringing about that object.

Mr. Littleton said, that the same motive which had formerly made him withhold his assent to a motion for inquiry upon the dismissal of his gallant friend, now induced him to express the gratification given him by the sentiments of the hon. and learned gentleman. To excite discussion upon the former errors of his gallant friend would be bad taste and bad feeling in him. However they might have demanded attention, they were now forgotten. No other recollections were preserved but the services of his gallant friend. His restoration would be received with acclamations by the whole country, and would be felt almost as a personal

personal obligation by every member of the house.

Mr. Wodehouse hailed this as a most welcome proposition. It was the more commendable, because it dictated no particular course to the government. Looking to the sovereign, and those in the probable line of succession, it was clear that acts of benevolence, of oblivion, of grace and favour, were most congenial to them all. He hoped for the best result from the expression of their opinions by the house, as they were all agreed that the hon. and gallant subject of the discussion was a man of a peculiarly generous and noble mind, which was evinced in all the connexions of life.

Lord W. Bentinck, if asked his opinion, or that of the profession, he would say, that the actions of no officer were supposed to have superior lustre. There was hardly an officer who had been engaged in more various services. He was not now apologizing for the errors of *Sir Robert Wilson*: he approved of the exercise of the prerogative in that case. He wished rather to appeal to the generosity of the house and to the benevolent recollection of his services in the mind of his sovereign.

Mr. Calvert bore testimony to the excellent conduct of his colleague in the representation, leaving his military character to those who could do it more justice.

Sir M. W. Ridley wished to add his tribute to the general feeling of the house. He had long known the hon. and gallant officer intimately, and could declare that he had the greatest regard to the honour of his country in all his undertakings. His errors were

momentary, and were quite eclipsed by the recollection of his great and brilliant services. His restoration would be in union with the sentiments of the country, and if he regained his station, he would impart a lustre to the profession which he could never tarnish.

Sir R. Fergusson had the honour of a professional acquaintance with him, having served with him on many occasions. No man existed who more invariably attracted the respect and honour of the profession. His restoration to the service to which he gloriously contributed, would be hailed by the whole army as much as it would gratify the house. Looking across the house, he saw a gallant member who must be the exception, if any were admitted, to the superiority of *Sir Robert Wilson*. That honourable and gallant gentleman was one of the highest military authorities known. It would be highly gratifying to the house to hear the opinion of that gallant officer upon the professional character and services of his gallant friend.

Sir George Murray did not rise in consequence of the suggestion of his gallant friend who had just sat down, but from a conviction, with respect to *Sir Robert Wilson*, that it was impossible to know any man whose qualities were better suited to the profession of which he had been before so bright an ornament. It would rejoice him to see that officer restored. And if, when that were done, he could only keep his talents employed in the proper way, he would greatly benefit the profession. He took the same opportunity of observing, that the power which dismissed the gallant officer must, in his opinion, be vested in the crown, for

for the due and proper control of the army.

Mr. Mansell said, that the gallant officer had committed errors, but he had been sufficiently punished for them. No greater favour could be done to the house, than to restore him to his rank.

Mr. W. Lamb spoke to the same effect, and said, that it was high time that the errors of the gallant officer were forgotten.

Mr. Brougham said, that only one opinion seemed to actuate all parties. He wished to add his full and complete testimony to the character given of his gallant friend, in regard to his conduct on a former very trying occasion. He was the professional adviser and friend of the gallant officer, and he had the fullest and most positive knowledge for inducing him to say, that the utmost exertion of human forbearance was manifested by his hon. and gallant friend. He (*Mr. Brougham*) had seen the documents in his possession, which, perhaps, no one besides his gallant friend could have refrained from publishing: not one word of them did his hon. and gallant friend divulge, notwithstanding the aggravating situation in which he was placed.

The committee of supply was then postponed.

Mr. Huskisson having moved the order of the day on the further consideration of the report on the customs' consolidation bill, several clauses were *pro forma* brought up; after which the house resolved itself into a committee.

Mr. Huskisson begged to remind the committee, that early in the course of the present session, on the 25th of March last, he had had the honour of submitting to their

consideration a variety of resolutions, tending to effect very important changes in our system of duties and customs, and applying, not only to the manufactures of this country, but to manufactured articles imported from foreign states. He had, on that occasion, entered at great length into a statement of the grounds upon which it was proposed that these alterations should be introduced into our commercial policy; and they were formally recommended in the resolutions brought in. At the same time, in effecting such extensive alterations in a system of duties and customs that had existed through so long a succession of years, he had felt most desirous of availing himself of all the light and experience that could aid him in so arduous an undertaking; and he had accordingly invited the suggestions and observations of all practicable and intelligent men who might be willing to afford him the benefit of their counsel and information. He could assure the committee that that invitation was very generally accepted, and that his proposal was not unheard: for no person, he believed, who had filled his situation had ever become engaged in a more extensive correspondence than himself, or had received more numerous deputations, or had been a party at more conferences than he had received and met at the board of trade since those alterations were first announced in parliament. The committee would not be surprised to hear this, because it must be evident that many individuals, and many separate interests, would be seriously affected, or would consider themselves to be so at any rate, by the operation of such changes. In mentioning

mentioning these facts, he did not at all desire to disparage either the motives or the proceedings of those individuals, or to discourage any other honourable gentleman who might hereafter fill the post which he now occupied from pursuing a similar course of action. His object was, rather, to apologize to the committee for now again adverting to the measures in question; and especially in the view of stating, that however great might be his desire to attend to the representations of every individual who might wish to be heard, in regard to any of these alterations, he was sure that it had not always happened that he could follow his own wishes by complying with such applications. But if he had in any case seemed to be inattentive to any body, it was only because it was merely impossible, amidst the claims of so many interests, to attend particularly to the case of every individual. And further, he did not feel it necessary where he was so called upon, in reference to points and questions on which he had already largely and explicitly explained himself, to enter upon such explanations again. Having now, therefore, heard, as he might assume, all that could be said upon the subject of those alterations by all parties interested in their operation; and not only all that could be said by such interested parties, but all the suggestions, proposals, and animadversions which had been made by those other parties who had accepted his invitation, he now came to indicate to the committee how far he had subsequently modified those resolutions which he had introduced on the former evening. The modi-

fications which he had now to suggest were intended still further to extend and establish a more sound and salutary policy than had hitherto prevailed with respect to our foreign commerce, and in regard to the encouragement of our manufactures and the general trade of the country. In looking at the period of time which had been occupied in considering these changes and modifications, the committee would do him the justice to remember, that it was highly expedient and essential that important alterations in a system so vast and complex as that of our commercial revenue should not be inconsiderately or precipitately adopted. The numerous propositions that had been submitted to him in this respect by the many parties he had alluded to, he had received and reviewed with great jealousy. The alterations he had propounded to the committee in the beginning of the session were founded upon the best information he could obtain, and the most mature deliberation he could bestow upon it. At the same time he had felt then, and since, that it became him to study other statements, and to get information from all quarters; but he might add, in regard to some of the parties by whom it had been contributed, that there was in some instances, as between himself and them, an issue of statements as well as an issue of expediency. Now, in the most extensive branches of our foreign manufactures and commerce, he had been able, upon the result of all the increased knowledge that he had arrived at in respect of them, since he first proposed the alterations of duties in question,

to

to adhere to his original resolutions. In the great article of all, for example—cotton goods—he did not now mean to propose any alteration from the terms upon which it was already left, namely, of reducing the old duty to an *ad valorem* one of 10 per cent. So of all duties upon woollens, he proposed equally to adhere to the limit he had already had the honour of suggesting—a duty of 15 per cent.; and, indeed, he thought upon the whole that 15 per cent. would not be found by the parties who felt most interested in the subject, an inadequate protection. In like manner, the duties upon all metallic substances would remain unaltered, excepting in the single article of lead. After much inquiry concerning the variable price of that metal, which was so essential in many branches of domestic improvement in this country—as in building, for example—he was prepared to propose the reduction of the duty still lower than he had put it even in the scale of alterations already submitted to the committee. In the extensive article of earthenware, he proposed to retain the duties on the footing already recommended. But in the duties upon some other branches of our manufactures that he would name, he had—but not without considerable regret and reluctance, deemed it necessary to introduce some modifications. There were some branches of our linen-manufactures on which he had originally proposed an *ad valorem* duty of 25 per cent.; but upon which, after having since heard the evidence and representations of all the parties who had been examined before the board of trade

upon the subject, he was now disposed to think it might be expedient to adopt a different mode of levying the duty. Instead of levying an *ad valorem* duty, he thought it would be expedient to change it for another, considering that it was proper to avoid imposing a duty of the former kind where it could be avoided, and to substitute, in this case, such a one, as, on the best comparison that could be made between prices abroad and prices at home, might seem adequate to the due protection of our own trade. Now the gradual reduction of such a duty, in a certain period of time, to the amount of that *ad valorem* duty he had formerly proposed, would either tend to admit the foreign manufactures in greater supply, or cause the British manufacturer, by imposing upon him a necessity for increased industry and attention to his business, so to reduce the price of his goods as to be enabled successfully to meet the foreign manufacturer. There were several circumstances connected with this particular manufacture that were necessary to be taken into consideration—such as that in Ireland it was conducted by manual labour alone, he might say, without the intervention of any machinery. In respect of linens, therefore, it might be described as a competition between labour and labour that must subsist between those which were made at home and those which were manufactured abroad. But again, with regard to Ireland, the interests of which every hon. gentleman must look to with peculiar anxiety and favour, it was to be observed that a great change was effecting in her linen manufacture, for

for machinery was now rapidly introducing itself into that branch of her trade, and a great proportion of capital was coming gradually into circulation in that country; and had the foreign manufacture been admitted at the lower duty which he (Mr. Huskisson) had originally proposed, it was feared that great difficulty and many impediments might have opposed themselves to the progress of the improving commerce; the consequence of which would probably have been, that, losing its present advantages, the Irish linen trade might never have been able to meet its foreign competitors; that this manufacture would not only not have arrived upon any favourable terms in other markets, but might have been lost to Ireland altogether. The committee would see the difficulty in which any person must stand who was in his (Mr. Huskisson's) situation. If, in the calculation of a certain revenue, a slight error happened to be committed in the original statement, and the produce was discovered to be proportionably affected or altered, nothing in the world could be more easy than to correct such an error; and the public service would be sensible of little or no inconvenience from the occurrence of such a mistake. But if, in the apportionment of duties, or the regulations of trade, wherein the interests of so many thousands were involved, such errors should happen to creep into the measures of the government, the country would long have to brood over the serious consequences that must ensue. It seemed to him, however, that by the adoption of a scale of duties on linens, to be

lowered in the course of eight years from their present amount to the point he had formerly fixed, the committee would not be discouraging the capital now engaged in that branch of our national industry, but it would be enabling the home manufacture to rival, in a short period, the foreign, in the foreign market. If he (Mr. Huskisson) had made himself understood, it would appear to the committee that he proposed no modifications in respect to the principal branches of our commerce, on the altered duties he had suggested, with the few exceptions he had named. The new scale of duties on foreign linens was, at present, such as might effect the purpose he had in view, by providing for our home manufacture adequate protection, and nothing beyond adequate protection; and by enabling it to meet a similar manufacture in foreign markets, in the same way as our woollens and cottons would now do. In another branch of our trade, he had thought proper to suggest a further alteration of duty. On the article of glass, he had originally proposed a slight *ad valorem* duty: but this was, also, one of the articles upon which he had experienced considerable difficulty; and for this reason—glass was subject to a very heavy excise. Gentlemen acquainted with the history of the revenue must be aware, that the excise duty imposed on any article was not that which increased, in any material degree, the amount of charge or cost to the manufacturer of such article; but it was imposed, usually, on the manufacture, which persons were stationed on the spot to watch. On the article

article of glass, therefore, he felt himself obliged to propose a new alteration of duty, so as to make that duty of a very considerably less amount than at present. This alteration would have the effect, he thought, of alternately improving the manufacture—as in the case of the linen duty—and of greatly reducing its cost. A similar alteration he should propose in the duty on paper. That manufacture was also subject to excise duties; and he would venture to say, that the projected alteration would conduce very materially to the encouragement of the manufacture. There were some circumstances that operated materially on the manufacture and price of foreign paper; and the most important of these was, that in some cases the exportation to this country of the raw material was virtually prohibited. For example, the exportation of rags was entirely prohibited by the revenue laws of France and of the Netherlands. The consequence was, that its exportation being forbidden, the article was manufactured in those countries below that fair natural price which it would obtain in almost any other parts of the world. From the depreciation of the value of the raw material, they could manufacture paper more cheaply than almost any other countries; and from the restraints imposed on the exportation of that material, we manufactured it, perhaps, dearer than any other people. These considerations had induced them to propose a new scale of duty on paper. Another article to be noticed was the importation of books. He had left the bill as he found it in respect of what

books might be imported into this country; they were such as there existed no copyright in here. No books could be imported that were of a contrary description; though individuals were not prevented from bringing them into this country, if they were not for any purposes of sale, but for their own private use. But he thought it would not be prejudicial to the bookselling interest in this country, if, instead of continuing the very heavy duty at present payable on imported books, which was 6*l.* 10*s.* per cwt., on books of all descriptions, he named a lower one; and he had therefore determined to reduce it to 1*l.* This duty operated, at present, upon those books, in fact, which formed the bulk of almost every library; and the reduction, therefore, might tend, perhaps, in no inconsiderable degree, to the beneficial consequences of advancing the cause of literature, and of extending the general diffusion of knowledge. With respect to other books, upon which the present duty was 7*l.*, he had lowered it to 5*l.*, and he meant to extend the same scale to manuscripts imported. Not to weary the committee by again travelling through other details, many of which he had largely entered into on the occasion of submitting his resolutions to them on the 25th of March last, he would pass over altogether a great variety of articles, comprising amongst others the raw materials of several manufactures; which he had also made the subjects of similar alterations of duty. On wax and tallow he proposed to effect a still further reduction. In like manner, as the schedule

now stood, it would be seen that he had proposed to lower the duties on barilla by a scale of gradual reduction; but he had since seen the parties principally interested in its importation; and understanding from them, that when about two years ago some alteration was made in those duties, it was understood that no further change would be made in them for five years after that period, he should now suggest that the proposed further reduction of those duties should take effect from the period at which those five years would have expired. He meant that to the expiration of that period, they should fall back to the same rate of duty that was settled two years since; but after the five years' had elapsed the present system of reduced duty was to be acted on. Other duties that it was highly material to the public convenience to alter, were those on timber. After many years research and experiment, it had been found impossible to prevent the duties on timber from being evaded; but it had become absolutely necessary now to obviate what he would not call a fraud exactly, but what was a very commonly practised deception, owing to the state of the duty on planks. The timber-duty upon every 1,050 cubic feet was 55s.; upon every 125 planks, the duty was 4l. Now, people had lately contrived to cut the planks of such a size and thickness, that one of them, though it could not be measured as solid timber, would afterwards yield many planks; a plank of this thickness, therefore, would only pay a duty of 16s. 8d. perhaps, which was to all intents and purposes, as to the

duty, solid timber. A practice so evasive could not but be extremely prejudicial to the fair trader; and he should therefore propose such an alteration of the scale as would bring planks of these large dimensions within the description of solid timber. The duties on the timber, as of England and Ireland, would be less in their present condition. Not only did the revenue suffer by the practice he had just spoken of, but the demand for British shipping usually freighted home for the transport of plank timber was proportionably decreased thereby. He was anxious to reduce the duties upon raw materials used in our manufactures, particularly dyeing materials, as low as possible. In the same way, and with a view to the encouragement of our smaller colonists in the West Indies, he was desirous to assist the importation of all the minor articles of West-Indian produce. Upon revising the alterations suggested in the resolutions which he had formerly submitted, he had added a great many articles that entered into our trade or our manufactures. Among the important ones was a reduction on the duty of ships built in the colonies, if broken up here. By a strange oversight of the law, such ships were subject to a duty of not less than 50 per cent. if broken up in this country. This enormously heavy duty was the cause that a very large and unwieldy ship, that had been built at Canada, and had arrived some time since in the port of London, was not broken up here, as was intended, but sent back to Canada. So that to this impolitic duty, entirely, it was owing that she was not broken

broken to pieces in this port. That duty he proposed to reduce to 15 per cent. He was aware that to some gentlemen these details possessed but very little interest. They were, however, of the utmost importance as connected with the commerce and the opulence of the country, and the improvement of its resources. At the present moment they were particularly important; for sure he was, that if that system of combination which now existed in the kingdom could not be repressed by the interposition of the legislature, it must be repressed by the additional facilities given to the introduction of foreign manufactures. It could not be tolerated, that the people of this country should be exposed to the difficulties and inconveniences that must always follow on any revenues imposed on the freedom of labour. He for one should be fully prepared to say, that if the shipwrights of England, for example, would not act in such a manner as to leave the employment of capital free and unshackled in ship-building in England—if they would not leave the industrious artificers engaged in that branch of trade free to pursue their own occupation on their own terms—it could only remain to the merchants to employ foreign-built shipping. On the same principle he was prepared to contend, that if our own seamen, listening to misguided men, refused to permit English mariners to engage in the merchant service, the only alternative for the latter would be of necessity to employ foreign seamen. After exhorting the artificers generally to renounce every thing like combination, which he showed

would only, by fettering the employment of capital, terminate in their own ruin, the right hon. gentleman concluded by remarking upon the necessity of doing away, wherever it was practicable, with the present system of protecting duties. To prove its mischievous effect he would only instance it in a single article of very general consumption—pepper. The duty on that article was about 500 per cent. on the value—an enormous disproportion that must effect either a diminished consumption or be an incentive to smuggling. The original cost of this article was about 5*d.* per lb. The whole consumption of the united kingdom was not more than 1,200,000*l.* a year, which did not exceed a proportion of about an ounce and a quarter to every individual of our population. This duty he would reduce from 2*s.* 6*d.* per lb. to 1*s.* per lb. This arrangement, he should hope, would rather encourage the consumption of an article of East-India produce. At present he would only add, that the committee was not to be considered as coming to any final adjudication on all the reductions that it was proposed to effect in our present system of duties.

Sir H. Parnell, after complimenting the right hon. gentleman on the great clearness and ability with which he had just explained his intentions to the committee, expressed his regret that the schedule before them shewed that in several instances the right hon. gentleman still retained those mischievous and foolish protecting duties, to which, as a system, he (*Sir H. Parnell*) was entirely opposed. He now begged leave

to make a few observations on the cotton manufacture. He did not see the necessity of so high a rate of duty as that contained in the schedule being imposed for the protection of that manufacture. The right hon. gentleman wished to uphold a duty of 10 per cent., but while they had extensive capital, and a great variety of machinery, which was used in the manufacture of cotton, the idea of competition with this country was futile. They paid high wages, they also paid a duty on the raw material; but still, such was the perfection of the machinery, that foreign nations could not compete with them. It was, therefore, a mistake to argue that high wages were always productive of high prices—a position which the late Mr. Ricardo had occupied much time in successfully combating. With regard to woollens, he did not mean to object to the rate of duty mentioned in the schedule, at the same time that he could not exactly see why 18 per cent. had been fixed on, rather than 10 or 20 per cent. As to the linen manufacture, he was willing that it should remain on the ground that was stated in the original schedule. It was only fair, he thought, that it should do so, because the improved mode of manufacturing linen in Ireland, and in this country, had not yet had a sufficient trial. But the right hon. gentleman had made a deviation, it appeared, from the original schedule. He now consented to continue a protecting duty of 25 per cent. for eight years, and in this instance he imposed on the country the five evils connected with the protecting system. This 25 per cent. he con-

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sidered as nearly a prohibition; and by proceeding in this manner, he was certain the system would not be got rid of in ten years. On looking through the schedule, he still saw many protecting duties, from 50 even to 75 per cent. continued, which ought to be abolished. Considerable reductions had been made on trifling articles, such as sealing-wax, &c., which should have been struck out altogether. But on articles of importance, large duties were still continued. On copper there was a duty of 30 per cent.; and he conceived, looking to the capital, industry, and skill of this country, that such duty was not called for. On hardware there was a duty of 20 per cent. This was an article, which, above all others, considering our great excellence in the manufacture, and the admirable machinery which was applicable to it, could bear a very considerable reduction of duty. Again, there was 15 per cent. on cutlery-ware—a manufacture in which this country excelled—in the formation of which all the advantages were in their favour. He considered these duties too high, and if this country imposed such duties on the goods of foreign powers, and the latter retaliated, he conceived the merchants here had no fair cause to complain. He was anxious to point out these circumstances, for the purpose of making way for the thorough reform in our commercial system which he hoped would speedily be effected, and which, he was sure, would tend greatly to the extension of our manufactures. The right hon. gentleman deserved the thanks of the country for his reduction of the duties on certain

raw materials, which would benefit the public considerably. But there was a want of attention with respect to articles in which this country could not compete with others. On leather and on shipping, he conceived every thing like a duty should be removed. He would remove, or greatly reduce, the duty on hemp and timber. He was sorry to see the duties kept up on what might be termed "minor luxuries." A number of things which were considered comforts by the great body of the people, were still subjected to a heavy impost. Of this description were currants, raisins, apples, grapes, &c. Indeed, in some particulars, it would seem as if the schedule had been drawn up to annoy the people. The poor were in many instances affected by it. Bacon, butter, beef and pork, were marked down at a certain rate of duty. He had hoped, as new circumstances had arisen, as new principles had been promulgated, in consequence of the labours of Mr. Ricardo and others, that this part of the subject, which was connected with a rise in the price of food, and a consequent rise in the rate of wages, would be treated in a more liberal manner. Nothing was so impolitic as to lay heavy duties on the necessaries of life. Looking to this schedule, with the exception of one or two articles, he found all the rest defended by protecting duties. Those duties had, he thought, an extremely injurious effect, and ought in consequence to be taken off. If they were, the five evils which the right hon. gentleman had adverted to would no longer exist. A bill had been introduced for the pre-

vention of smuggling. What was the reason of the alteration which that bill proposed? There would be no necessity for any legislation on the subject, but for this schedule. Why should they pass a bill with such clauses? One of the clauses contained in it was just as bad as the Irish insurrection act. He alluded to that which related to lurking, after sun-set, near the sea-shore. For this offence, a man might be taken into custody—than which nothing could be more oppressive. If this schedule were put on a proper footing, there would be no necessity for any provision of this kind, since there would be little temptation for smuggling. To the clause he had referred to, he felt the strongest objection, because it was incompatible with the liberty of the subject. He should make no further observations on the plan of the hon. gentleman; but he hoped he would, as fast as possible, proceed with the repeal of those laws which fettered the commerce of the country.

Mr. Maberly was of opinion that the hon. baronet had not treated the plan of the right hon. gentleman fairly. He had argued it on principle, instead of looking to the expediency which must be connected with the proposed alterations. In another respect, too, he had not met the question fairly, as he had throughout rather argued on the schedule, as a schedule of revenue. If the hon. baronet had attended to the opening speech of the right hon. gentleman, he would have seen clearly what his object was. He came forward to relieve the commerce of the country, and he divided the subject into two parts. In the

first place, his proposition respected the colonial interest: and his second proposition had reference to the expediency of revising the scale of duties on manufactures, &c. and of relaxing those prohibitory, or, as they were called, protecting duties. Of course the right hon. gentleman could not immediately say what amount of relaxation should ultimately be extended to each manufacture. That would take up more than one, two, or three years. The right hon. gentleman had submitted his plan in March last; and now, three months afterwards, having, in the mean time, given the question every consideration in his power, he stated to the house what he conceived to be at present a fair relaxation. The hon. baronet approved generally of what had been done, but he had an exception. When he came to Irish linen, he regretted the protecting duty of 25 per cent. while cotton was protected in a trifling degree. It was entirely a question of expediency as to the time when, and the extent to which, those different duties should be reduced. The hon. baronet observed, that no reduction had been made beyond 30 per cent.; whereas, if he examined the table, he would find that duties, amounting to 120, and even 180 per cent. had been greatly reduced. The right hon. gentleman had deviated from his original plan in two or three instances. Linen was one of them; but he here only deviated with respect to time. In glass, paper, and barilla, some alteration had been made. But was it possible that the right hon. gentleman could go through the whole trade of this great commercial country, and

decide at once what should be done? When the whole interest of the country was at stake, ought he not to act with caution? And yet, after all, he had deviated in a very trifling degree. No man could have had more to struggle with than the right hon. gentleman in the course of this proceeding, and no man could be more entitled to the thanks of the country for the manner in which he met the interests of different parties, or for the soundness of the views he promulgated on this important subject. No alteration had been made with respect to silks, cottons, and woollens; but linen was to be protected by a duty of 25 per cent. But when the hon. baronet noticed this part of the subject, he should state what the present protecting duty was. It was 100 per cent. and that was to be reduced gradually to 25 per cent. Now, in removing this protection, what course had the right hon. gentleman taken? He saw that the manufacture involved the interests of many parties, and therefore he found it expedient to relax the protecting duty by degrees, and eight years was given for that purpose. The right hon. gentleman had placed but a small protecting duty on the cotton manufacture, in consequence of the extensive use of machinery in that trade. That, however, was not the case with the linen trade. But it was hoped, that, in seven or eight years, by the introduction of machinery, this fabric might be manufactured 30 or 40 per cent. cheaper than at present, and therefore this course had been taken. Time ought to be given for this plan to be carried into effect, especially as the application of ma-

chinery to spinning flax must, of necessity, be much more slow than its application to the spinning of cotton. It was considered, by competent judges, that, when the plan was matured, the linen manufactured by the aid of machinery would be 60 or 70 per cent. better than that manufactured in the ordinary way. The hon. gentleman concluded by pronouncing an eulogium on the board of trade. The right hon. gent. who presided over that important department, and whose labours were gratuitous, ought, he conceived, to be liberally rewarded for the performance of his duties in that office, and not, as at present, derive his salary from another and a subordinate situation (treasurer of the navy), where his duty was scarcely more than that of a paymaster. He trusted the chancellor of the exchequer would take the case of his hon. colleague into serious consideration.

The *Chancellor of the Exchequer* said he had not overlooked the subjects alluded to by the hon. member for Newcastle, but the great and numerous difficulties which stood in the way had prevented him from doing as much as he had contemplated. A great reduction had, however, been effected—that on coals carried coastwise had been reduced to 3s. per chaldron, and to 1s. per chaldron on coals of particular dimensions. He had been told that this latter sort of coal, being unable to bear the duty, was consumed at the pit's mouth, and in fact almost wasted. He was induced on this account, and because he thought it might be made very useful in manufactories, and as fuel for the poor classes of the people, to

think the duty should be reduced. He had communicated generally on the subject of coals with several persons of science, and among others with professor Buckland, who united in recommending the alteration he had adopted. He flattered himself with the hope of carrying the same principle still farther, but he could not do so until the result of the present experiment had been ascertained. He was afraid of having too many irons in the fire, lest he should not be able to get some of them out. If parliament should hold its hand for the present, he was sure they would do ten thousand times more good than by following the precipitate course which some hon. gentlemen recommended. He was quite aware that these minute details required all the vigilance of the house. He trusted that the day would soon arrive when no article in the schedule would stand at too high a duty for the commercial interests of the country. That would, however, take some time to perfect. In the mean time he must say, he thought his right hon. friend (Mr. Huskisson) had done as much as could be expected from him in one session.

The clauses were agreed to, the house resumed, and the report was ordered to be brought up to-morrow. The house adjourned at three o'clock.

House of Commons, June 20.— Lord Nugent presented a petition from the resident burgesses and others of West-Looe, upon a subject highly important to the house as well as the petitioners. The latter prayed an inquiry into the right of voting in the borough, and complained of infringement on the franchises as established by

usage immemorial. Usage of this character need not, as he understood, he proved to have been unbroken: it would be enough to show that it had existed, however frequently broken. These petitioners undertook to prove unbroken usage, shown by deed, custom, charters frequently confirmed, and many other documents. He believed that he was right in saying, that unless the charter conveyed the contrary, the common law right of voting was in every householder. Such was the opinion expressed in the time of James I. by Serjeant Glanville, whose opinion was supported by Lord Coke and all the great authorities of the time. They decided in election committee that the crown itself could put no limit where the charter expressed none. This petition was not for parliamentary reform. They asked no new rights. They only asked for restitution of old rights. After looking with much attention into the petition, he was the more encouraged in calling the attention of the house to it, because he need not waste the time by causing the clerk to read it, having qualified himself to point out the most material passages in it. His lordship proceeded to state the contents of the petition. It made out three things — first, that the charter gave the right of voting to the resident householders; secondly, that the records proved the returns to have been made by them for a long period, under the titles of burgesses or resiant burgesses, or *probi homines* or *communitas*, or some name which, taken with the numbers, showed that there was no difference between the resident burgesses and

the free burgesses. The third proposition which they had to make out was, that the right had been abridged by collusion and injustice, and finally altogether usurped by the non-resident burgesses, whose votes were not admissible by the charter. At this advanced period of the session, he would make no motion upon the petition. He had several petitions of the same nature to bring up, and early in the next session he proposed to bring the whole question forward in a manner suitable to the importance of the occasion.

Mr. D. Gilbert said that he would not trouble the house at much length: but of all tribunals this house seemed to him to be the worst to try such a question. The courts of law were open, and a proceeding was to be brought to a hearing in the court of king's bench to-morrow, on the matters recited in this very petition.

Lord J. Russell would not contend that, although many boroughs had succeeded in depriving the resident householders of their votes, it would very materially benefit the general right of voting to restore the usurped franchises: but certainly there were no sufficient facilities given to the elective bodies so disfranchised to recover their rights. For instance, a committee under the Grenville act decided between the returned and the disappointed candidate: but there was no redress given by these committees to the elective body; on the contrary, though the committee in this very case had decided for the elective body against the usurpation of the franchises, yet the petitioners were put to an expense of 1,500*l.* for

one process at law which had failed. Again, the practice of election committees was so corrupt formerly, as to make it necessary to pass the Grenville act, and the law which mostly prevailed had been settled by those corrupt precedents. The powers of the Grenville committees were too limited to do justice to the elective body. In the case of Grampound, the committee pronounced in favour of the return, though it afterwards appeared in evidence before the committee of the whole house, that the return was effected by means of 8,000*l.*, which had been corruptly distributed among the electors. He thought that the house ought to adopt some method of explaining and restoring the rights of the electors as far as they were concerned in those contests, and not refer them to the expensive and uncertain result of proceedings at law.

Mr. Sturges Bourne thought that the depositions taken by the house, or its committee, not upon oath, could never answer the ends of justice like evidence duly sworn and solemnly taken in courts of justice. Though nothing could be fairer than a Grenville committee to try the right of the return, it was a tribunal not at all well calculated to try the rights of electors.

Lord J. Russell explained.

Mr. Denman pointed out the inefficacy of the powers of the Grenville act as to doing justice to the electors, and thought that the house, after pronouncing against a corrupt or improper return of any of its members by a committee, should of its own motion go on to do justice to the

electors, by restoring their suspended rights.

Lord Nugent replied. He had purposely abstained from discussion, because he intended to postpone his motion till next sessions. In the mean time he repeated it, that the petitioners asked for no new rights. They had a charter which had been abused by the corporation; and a committee of that house had declared that there was such an abuse. The chief justice of the king's bench was afraid to pronounce in their favour, because the question involved points which he felt to be too high for his jurisdiction, unless he were assisted by something more declaratory from the house. All that the petitioners sought was, an examination before a committee, which would authorize such a declaration.

After a few words from *Mr. Wynn*, *Lord Nugent*, *Mr. Robertson*, and *Lord John Russell*, the petition was read, and ordered to be printed.

Mr. Peel moved the order of the day for the house resolving itself into a committee on the writs of error bill.

Mr. J. Williams by no means intended to oppose this motion, but he wished to suggest that the right hon. gentleman, without at all materially enlarging his very short bill, might have carried its principles yet further, by giving something more than taxed costs in cases of writs of error sued out for the mere purposes of delay. In such cases it would be better that the party thus occasioning the delay should be subject to heavier costs. Might not the right hon. gentleman have added, also, with advantage, something

to this bill which should meet another grievance that must be designated by the technical term of sham pleas. At present such pleas were very commonly resorted to. The practice was, supposing, for example, that a party to a suit wished to gain a term, that he put upon the record a plea setting forth that some man had taken a horse of his in satisfaction of the debt, or that judgment had been recorded in that identical case. It was, however, altogether an absolute fiction, there being no man's horse stolen, nor any action brought in which judgment had been so recorded; but the object being solely to effect a delay for a certain period. Now he (Mr. Williams) would wish to see the right hon. gentleman proposing, when pleas should appear to have been put on record merely to gain time, and add something to the costs, to empower courts to award treble costs to the party so prejudiced.

Mr. Peel felt obliged to the learned gentleman for the benefit of his suggestions, but it appeared to him that there was a twofold object comprised in them: the one, as to the expediency of putting an end to all frivolous pleas; the second, as to the not throwing impediments in the way of appeals. By an act of James I., parties in some cases were obliged to enter into recognizances on their appeals in double the amount of the action. This sort of course, in cases of bonds given for pecuniary considerations, had had such a good effect, that sham pleas were, in instances of that nature, extremely rare. But, on the other hand, he would desire to make more extensive inquiries into

the general effect of sham pleas before he adopted altogether the hon. and learned gentleman's suggestion; and if he should find the effect to be as stated, he would prefer, he thought, to make the suggestion the subject of a specific measure.

Sir F. Burdett was inclined to believe that the best way of getting rid of sham pleas, and of decreasing the number of writs of error, would be to give greater facilities to the hearing of appeals.

Mr. Peel rather thought that without doing away with the too great facility of appeals, it would be very difficult to reduce the number of writs of error.

On the motion for the third reading of the shooting and stabbing (Scotland) bill,

Mr. J. P. Grant rose, and said he had no objection to the extension of Lord Ellenborough's act to Scotland; but the bill now before the house went a great deal farther, and created, in the last clause, quite a new law. It was there enacted, that if any person threw vitriolic acid on the person of another, for the purpose of doing him any bodily harm, that act should be deemed a capital offence. This provision was introduced in consequence of certain proceedings that had recently taken place in Scotland. Vitriolic acid, it appeared, had been thrown on the clothes, and sometimes on the persons of individuals, who refused to join the workmen in their unlawful proceedings. It was undoubtedly fit that this practice should be put down; but the way to put it down was not by enacting a penalty at which the minds of the public revolted. In legislating on matters of this kind, they

they ought always to endeavour to carry the public mind along with them. There was, too, a strange anomaly in this bill. By Lord Ellenborough's act it was provided, that if A fired a pistol with intent to kill or maim B, and that, in doing so, he missed his object, and killed or maimed C, he should be subjected to the penalty of death, just as if he had succeeded in his original intention. But here, if A threw vitriolic acid at B, and deprived C of sight, he was not liable to the penalty, since it was only the absolute act, and not the intent, that was punished; and he believed that there would not be found in the legislation of this or of any other country a measure which did not visit the intent with punishment, except where it succeeded. He should therefore move the third reading this day six months.

The *Lord Advocate of Scotland* said, there was no man more unwilling than he was to extend the penal code of the country; and he was sure, if gentlemen connected with Glasgow were then present, they would state the fact, that for three years past he had refused all applications to resort to the present measure. But the scenes which had occurred in the west of Scotland for a considerable time compelled him, however reluctantly, to legislate on this subject; and he felt perfectly convinced that he could not devise an adequate remedy for this evil if this clause were not introduced. Much information would be found on this subject in the evidence given before the committee on the combination laws. He then held in his hand two certificates from Dr. Corkendale, of Glasgow, detailing

the deplorable state to which two workmen had been reduced, who were taken to the infirmary in consequence of sulphuric acid having been thrown in their faces. (The learned lord here read the certificates.) Several persons were tried for this offence, and sentenced to transportation, but that punishment had not the effect of diminishing the crime. Every clause of Lord Ellenborough's act applied to this case. If a man were to cut another in the slightest degree with a sharp instrument, he was liable to the penalty of death for the act; and surely there could be no comparison between a slight injury of that kind, and the misery which an individual must suffer when vitriolic acid was thrown in his face. The man who inflicted a wound, might have had the knife in his hand by chance at the moment; but when vitriolic acid was flung on an individual, it must have been purchased for that diabolical purpose. If this clause were thrown out, he would withdraw the bill altogether. In cases of shooting and stabbing, the probability was, that the person injured, or some passing individual, could give evidence as to the hand that inflicted the wound; but where vitriolic acid was made use of, such precautions were taken as rendered it extremely difficult to procure evidence. It did not, however, follow, that though the offence was capital, yet capital punishment would always follow its commission. His learned friend must know that a discretionary power was left in the hands of the judge. Neither was it intended that this should be a permanent measure. It was meant to confine it to five years, at

at the expiration of which time he hoped the necessity for it would have ceased.

Mr. Peel said, he was about to suggest to the learned lord the propriety of restricting the measure to a certain period. He was happy to find that the learned lord saw the subject in the same point of view, because he felt that it was due to the moral character of the people that the bill should be temporary.

Mr. Hume said, that the great forbearance shown by the learned lord, when he was called on to legislate on this subject, did him the greatest credit; and any hon. member who looked to the evidence taken before the committee on the combination laws, would see that the best possible results had been attained by that forbearance.

The bill was read a third time, and passed.

On the motion that the distillery bill be read a third time,

Mr. C. Hutchinson said, that the distillers of Ireland, being of opinion that the proposed law was a violation of the act of union, had taken the opinion of *Mr. Denman* and *Mr. Shadwell* on this point, and they had expressed themselves decidedly in favour of that view. The act of union provided that no article the production of one country should be admitted into the other without the payment of a countervailing duty, which duty should only be payable at the time that such articles should be admitted. He submitted this to the right hon. gentleman, in order that he might give such explanation as he thought fit.

The Chancellor of the Exchequer said, he had a great value for the

opinion of *Mr. Shadwell*, who was a very eminent chancery lawyer; but with respect to the subject in question, the soundness of that opinion would depend very much upon the correctness of the case which had been submitted to him. Both of the learned counsel had been asked whether, upon reading the clause in the act of union which had been mentioned, and reading afterwards the clause in the act now before the house, the latter did not appear to be a violation of the former. The hon. member for Nottingham (*Mr. Denman*) gave an opinion which at the first blush appeared to be in favour of the view taken by the Irish distillers, but it was accompanied by a qualification which made it of no value; for the hon. and learned gentleman said, that although the proposed clause appeared to be a violation of the act of union, yet it might be avoided by inserting a provision, that in the event of any vessel loaded with spirits, the cargo of which had paid the duties, being lost, the amount should be returned. Why this was, in fact, recognizing the right to require the duties before the ship sailed, and was therefore directly contrary to the notions of the Irish distillers. The distillers of England were required to pay duties upon their manufacture, and if they sent a ship to any English port, which might happen to be lost before it reached its destination, they had no means of recovering the duties. The Irish distillers had the modesty to ask to be exempt from the payment of the same duties, when they sent their manufactures to this country. Now, he could not understand what equality there could be in this. If the facts which

which he had stated had not been explained to the hon. and learned counsel whose opinions had been obtained, it was quite obvious that those opinions could not be generally correct, however true they might be in the abstract. He would, however, take this opportunity of saying, that if the bill should be defeated in another place upon such grounds, it would become the house of commons to provide against the Irish distillers enjoying the unfair advantages they would thus obtain over those of England.

The bill was then read a third time.

House of Commons, June 23.—The Edinburgh commercial bank bill was read a third time, and passed.

The report on the surplus grants bill was received and agreed to.

The customs' bounties bill, the passage-vessel regulation bill, the warehousing goods bill, the Isle of Man trade bill, and the Dublin wide streets bill, were severally read a third time, and passed.

The newspapers bill was read a third time, and passed.

The report of the Irish linen bill was brought up.

Mr. F. Buxton rose, pursuant to notice, to call the attention of the house to the case of *Mr. Shrewsbury*, a minister of the Wesleyan society, who was engaged in their missions in the West Indies. It would be his duty to confine himself to a dry matter-of-fact statement, and abstain from touching upon any extraneous matters. He hoped by that mode to obtain the more attention from the house. *Mr. Shrewsbury* was a dissenting minister, who had been distinguished in the society to

which he belonged for his piety and usefulness. He was sent out to the island of Tortola, where he resided for two years, and conducted himself so properly, that the president, on his coming away, furnished him with a certificate, which testified his uniformly correct conduct and his pious labours in his calling. In 1806 he went to Grenada, and after a short time he was enabled to build a chapel. The governor sent him a donation of 66*l.* by his secretary, who subscribed 10*l.*, and banded him a letter, in which the governor applauded his conduct, his zeal, and piety, expressing his belief that a better man did not live upon the face of the earth. Above all, he praised him for the mild and temperate exercise of his religion among the negroes. *Mr. Ross*, a considerable planter there, who managed twelve other estates, had on these different occasions given the same testimony as to the conduct of *Mr. Shrewsbury*, which was strengthened by numerous other witnesses. He said that marriages had become more frequent, and that those improvements were rapidly effecting in the moral condition of the negroes, which the house, the country, and even the planters, so much desired. He left Grenada with this favourable impression of his character, and arrived at Barbadoes, where there existed at first, and still continued to exist, a spirit of religious persecution. To continue the mission, there was wanted a man of great and opposite qualities. He would require prudence, not to take offence lightly; and great zeal, or he would do little for the negroes. He must have placable and uncontentious habits, to meet and do

do away with the asperities of those opposed to his views. Such was the feeling of the society, and their choice fell upon Mr. Shrewsbury, who was any thing rather than an utter abolitionist. He was a man of almost West Indian habits—he had married the daughter of a planter. One of the charges brought against him was, that he had corresponded with the African Society, and with him (Mr. F. Buxton). The house would judge of the temper and accuracy of his accusers, when he assured them that he did not know that there was such a man as Mr. Shrewsbury in the world, until, taking up a colonial newspaper, he found that this man was going to be hanged for having carried on a correspondence with him. In fact, he had not, since he took up the subject of the slave-trade in parliament, had any correspondence with the missionaries, Wesleyan, Presbyterian, Moravian, or any others. He had sought for information from them, but they declined giving it upon a motive which he did not approve. They were unwilling to interfere with any thing which was not connected with their own calling. He thought that they ought to have spoken out, whatever might be the consequences. It was hard, under these circumstances, that they should be suspected of corresponding with him. During the whole time Mr. Shrewsbury was in Barbadoes, he preached the most moderate doctrines, and wholly abstained from politics—a mode of conduct becoming in a minister of the gospel at any time, but especially so in a pastor of negro slaves. He arrived there in 1820: at that time he wrote one letter,

as in duty bound, to acquaint the society with the state of his flock. There was nothing in it which could be construed as peculiarly offensive to any body. He drew a melancholy but a true picture of their moral condition. This was perhaps the only case which could be taken hold of by his opponents. If it should be contended that he had no right to do it—that it ought never to be done—the house had asked the opinions of the missionaries, so had the government, as to the condition of the negroes. The answer received by Lord Bathurst, in 1806, from them, drew a far more melancholy picture of it than Mr. Shrewsbury had done; and what was more, it was printed by order of the government. He remained three years and three quarters in Barbadoes. In the last half of the time he had suffered considerable persecution. At first it only amounted to annoyance. The gentlemen, so called, there, thought it their duty to come into the chapel with their hats on, and whistle tunes in time of divine service. He bore these trifling insults with meekness. If any man seemed disposed to contradict this assertion, it was to be hoped that it would be done in that house. He was hunted in the streets, not by the mere rabble only, but by merchants issuing for that purpose from the stores, and by others in the garb of gentlemen. October 5, 1823, his chapel was beset by them, and they threw in numerous phials filled with oil, aquafortis, and asafoetida. The bottles were prepared at the shop of the chief chemist and druggist. The clothes of the females were injured, in some cases burnt upon them. A

lawyer—a member of that generous profession—chose his decorous station upon the railing of the communion-table, from whence he cheered on the riotous mob. Mr. Shrewsbury retired into the vestry, to put his wife out of danger; then returned, and concluded the service. On the 6th of October he offered publicly a reward for information of the ringleaders; but of course could obtain no information. Passing by a shop where several of the respectable population were gathered, he heard such expressions as these: “It would have served him right to have torn him in pieces;—he may prosecute if he pleases, but if I am on the jury, I will acquit the accused.” One person made an offer, if they would assist him, to go and pull down the chapel. The gentleman was still a magistrate in the commission of the peace; he was the lawful protector of negroes, and a minister of justice, representing the king’s majesty. Such was his sense of the duties confided to him. (The honourable gentleman mentioned several other riots about the chapel in succession, of a comparatively minor sort, and therefore he would not detain the house with particulars). On the 12th of October, one of the congregation informed Mr. Shrewsbury that there was something desperate intended that evening. The hour of service arrived—the chapel was lined within, and surrounded without by a well-dressed mob—some having swords and pistols. One pistol was fired and hit the window; crackers were thrown, and the heads of the women were burnt. Two officers were among the congregation, and their horses

were tied up outside. They mounted, attacked the rioters, and put them to flight. The confusion was reduced to order. Mr. Shrewsbury resumed his place, and continued the service to the end. The mob consisted entirely of whites, planters, merchants, and traders of reputed respectability. Another riot occurred on the 15th. On the 16th, Mr. Shrewsbury waited upon the governor to complain to him. Each of the parties gave his own account of the interview. He would take that of the governor for the ground of his statement. Mr. Shrewsbury told the governor that he could not exercise his religion in peace. The governor was sorry for it, but could do nothing in it; he advised him to apply to the magistrates, and if they had not force enough to protect him, then he would interfere. Mr. Shrewsbury reminded the governor, that the magistrates were among his most active and unrelenting foes. He (Mr. Buxton) understood that this gentleman was a very respectable man in private life, and of unimpeachable conduct; but particular acts had made him extremely unpopular in the island. A negro had been shot by some person unknown; this individual had immediately offered a large reward for the discovery of the offender. A negress, in the act of pulling some grass, had been likewise shot; and he also offered a reward for the discovery of the party who should be found to have committed the crime. Some time afterwards it happened that a white man, an Englishman, was found dead in the woods. The individual was a person of the most dissolute kind and of the most drunken habits;

habits; and he offered no reward in his case, not thinking it to be requisite to do so where the decrease of the party was rather to be accounted for from natural causes. But this forbearance raised a great outcry against the governor immediately. It was said, that in the case of each of these two slaves, a reward had been proposed; but when a white man was murdered—for that was assumed to be the fact—none was offered. Under the circumstances in which he found himself, he therefore told Mr. Shrewsbury he was very sorry that he had applied to him, for that Mr. Shrewsbury's better plan would be to apply to the magistrates for protection. Now Mr. Shrewsbury did not do so; but he (Mr. Buxton) should like to know how he could, and to which of them he could have done so? Could he go to Mr. Haines, for example, who had declared that if a sufficient number of the colonists would join together, he himself would go with them and pull down this chapel? Or could he go to Mr. Moore? Here he (Mr. Buxton) begged to state, that he was replying to the honourable gentleman opposite—he meant to say, to that which would be his argument. Could Mr. Shrewsbury apply to Mr. Moore, who knew, it was said, that for him to appear at that time would have been certain death? Or could he betake himself to Mr. Newsom the lawyer; who from the communion-rails had called to the people to pull down the building? or to that other magistrate, Mr. Walton, jun.? Mr. Shrewsbury applied to a protestant clergyman, and was by him received in a manner very much to the honour of both

of them, because it showed there existed between them no feeling of anger. It was much to the credit of the clergyman also, who at such a time ventured to manifest the greatest possible kindness for a poor friendless missionary hunted for his life. The clergyman's name he should decline mentioning; because, were it known, the same consequences might ensue to him as had ensued in the too notorious case of poor Mr. Austin of Demerara. This clergyman advised Mr. Shrewsbury to appeal to the council, and in the mean time to shut up his chapel. Now had this matter rested here, even he (Mr. Buxton) should have been prepared to contend that it formed a case of the most extraordinary persecution and injustice that had ever been known to occur within our colonies, excepting only the case of Mr. Smith of Demerara. On Sunday, the 5th of October, Wednesday, the 8th of October, Sunday, the 12th, and on the 15th of the same month, it seemed, scenes of very serious and alarming riot took place in Barbadoes. On the following Sunday, there was also a very serious disturbance: the chapel was shut up, the congregation fled, and if they did find a refuge at all, it was only in the established church. Subsequent events threw all these scenes of outrage, tumultuary as they were, into the shade; for on Sunday, the 19th, the proclamation, or placard, made its appearance, calling on the white people to put down this chapel. The meeting which took place accordingly, when it had assembled, was found to consist almost entirely of whites, and was headed by persons of respectability in the island. Mr.

Shrewsbury and his friends had stated, that it must have consisted of "a thousand headstrong fools"—that was their remarkable expression; and others described it to have been "an immense concourse" of persons. Now the house should particularly observe, that these persons, or many of them, came armed to that meeting. This was evident, not only from the authority of Mr. Shrewsbury himself, but from that of a planter who had written home, that these "headstrong fools" were so desperate, that they were armed, and prepared to resist any force the governor might use to disperse them. But the governor's own account was, "that an immense concourse of people," many of them armed, "assembled to pull down the chapel." These people attacked the chapel, broke the windows and doors, demolished the pews, destroyed the Bibles, and all the furniture about the place belonging to Mr. Shrewsbury; they chopped up tables and chairs, broke the desks to pieces, and tore up his linen into ensigns or flags, which they waved above the work of destruction they had made. After being occupied some four or five hours in this sort of demolition, they separated for the night, agreeing to meet again the next day. They did so, and drew up an address or proclamation, headed, "Signal triumph over the methodists." In consequence of, or in answer to this, the governor published a proclamation, in which he absolutely descended to argument upon the impropriety and outrage of such courses as had been pursued, and to entreaties that the parties would not revive such excesses.

In fact, every thing was said which might, as it were, seduce these gentlemen from their propensity to pull down and destroy methodist chapels in defiance of all law. Subsequently to this, there appeared another proclamation from the rioters, closely imitating in form that of the governor: for as that began with the usual formula of "Whereas," &c., and ended with the words "God save the King;" so the rioters' paper commenced with "Whereas," &c., and ended likewise with "God save the King—and the people." The matter of that proclamation amounted to a clear and open defiance of the law; and was equivalent to an acknowledgment that they had done what was imputed to them, and would, on occasion, do the like again. One paragraph was very peculiar. (It was something to this effect:—"Notice is hereby given, that if any person, being actuated by pecuniary or any other motives, shall furnish evidence against any of the parties concerned in the said transaction, he shall receive the punishment due to his crimes. Let them remember, that to impeach is not to convict.") This was as much as to say, that it would be in vain for any body to inform, because some of the parties concerned would of necessity be on the jury, and carry any one through who should be indicted for the offence. The paragraph concluded in this way:—"With a fixed determination not to allow methodism again to rear its head in this island; all methodist preachers are hereby warned by us not to approach these shores. If they do, it will be at their peril." Mr. Shrewsbury escaped from the

house adjoining the chapel, through another, over a field and down to the sea shore, where he found a small vessel that conveyed him to St. Vincent's. He had lost all his property, and was without a single shilling; and surely it would have been no matter of wonder if, under such circumstances, he had expressed himself with some bitterness and resentment against his persecutors. He had, however, written a letter, after being thus despoiled of his goods, and having his mission extinguished, which he (Mr. Buxton) must say he had never seen equalled for the moderation and piety of its tone. There was not a single complaint in it hardly. It exhorted, after slightly glancing at the fact of his departure from Barbadoes, those of his friends and congregation whom he had left there behind him, to forget all animosities, and not to allow their zeal, in the vindication of his character, to excite irritation in the minds of others, and ill-will towards themselves. A Mr. Rayner was sent to collect testimonials in Barbadoes to the character of Mr. Shrewsbury; and succeeded in obtaining from nine persons of eminence and respectability the most gratifying certificates of that nature. There were among the papers none of those to which he (Mr. Buxton) begged to claim the particular attention of the hon. gentleman opposite. Mr. Rayner's account of what passed between him and Mr. Walton, jun., was also curious; but the house should understand that this Mr. Walton was not now a magistrate any longer. Unluckily for him, a watch had been set upon him, and he was found one night, in company of

Mr. Newsom the lawyer, breaking the windows of a methodist meeting house. Being caught in the fact, they were both arrested, and Mr. Walton shortly after ceased to be a magistrate. This Mr. Walton came on board the ship in which Mr. Rayner was, and in the course of his conversation with him, understanding what his object was, read him, in fact, a second edition of the proclamation issued by the rioters. He said—"You must go in twenty-four hours; or if not, the consequences be on your own head;" and indeed he (Mr. Buxton) had seen it stated upon authority not to be doubted, that men were stationed night and day on various parts of the coast, with the avowed purpose of shooting Mr. Rayner. The same system of violence and animosity in respect of the methodists prevailed in all the other West-India islands. So far from its having been appeased in the lapse of a twelvemonth, the anniversary of the destruction of Mr. Shrewsbury's chapel was celebrated at Barbadoes; and there being in the island an old woman who was reputed to be a methodist, they courageously proceeded, on the 19th of October last, to pull down her dwelling; it having been, according to the governor, "most publicly" proclaimed that they intended to do so. That proclamation of theirs set forth "That they had formed themselves into a committee of public safety" (after the French style), and it was signed "Rock" (after the Irish style.) It called on "the worthy," who were friends to religion, to come armed on the following night for the enterprise; and invited "the worthy,"

worthy," if any of "the pest" should resist, "to send them to sleep with their forefathers." Only last year the same spirit had manifested itself. The proclamation of these parties described Lord Bathurst to be no friend to the religion or welfare of the state, and imputed to the hon. gentleman opposite (Mr. W. Horton) and the highest quarters in the state, "the baleful injection of methodism," which they proceeded to denounce in an absurd manner. He (Mr. Buxton) would not remark upon it, however; it being very well known in that house what methodism was. Now, on a well-known occasion in the last session of parliament, the right honourable gentleman (Mr. Canning) had declared, "that if the West Indies should be guilty of contumacy in resisting the wishes of parliament, he should be prepared to come down to this house and ask its advice and assistance." Why, what would the right hon. gentleman term contumacy, if perseverance in such a system as this did not amount to it? There was not only contumacy, but the coming armed, to resist the military or other force to be employed by the governor in the suppression of a meditated outrage, was rebellion also. On the occasion of the very first outrage, which the subsequent tumults had rendered a thousand times worse and more aggravated, the governor had described the conduct of the rioters to be a flagrant violation of all law and order, and a proceeding pregnant with the worst possible consequences in a slave colony. All he (Mr. Buxton) meant to ask for on the present occasion was, — first, that the law should

be exercised and respected; secondly, that they who had pulled down this chapel should be obliged to build it up again; and thirdly, that care should be taken that disgraceful outrages of this kind should not be hereafter repeated. Before he sat down he wished to compare the crime and punishment of the unfortunate Mr. Smith of Demerara with those of the magistrates of Barbadoes who had been concerned in this business. Mr. Smith, it had been said, knew of the intended insurrection half an hour according to some opinions, a quarter of an hour according to others, before it was to break out, and did not give intimation of it, (as indeed it was impossible, from the distance of his dwelling, and the shortness of the time, that he should do). That was Mr. Smith's crime. Now to the Barbadoes magistrates the governor in council put this question—"Did you know that a riotous assemblage had met to pull down this chapel?" The answer was, "Yes; we knew of it." Mr. Smith, it was known at Demerara, had saved the life of Hamilton, and remonstrated with the blacks who were about to kill him with the pistol. Now had these magistrates interfered in any such way? The governor asked them this question—"Did you take any steps to suppress or to quell this riot?" To this query, addressed successively and severally to five magistrates, the answer in each case was, in effect, "No." So far, therefore, the conduct of poor Mr. Smith had greatly the advantage over theirs. But Mr. Smith, like the magistrates, did not communicate his knowledge of what was to happen, in sufficient time to government. He had already

ready said that it was impossible for Mr. Smith to do any such thing, unless he had possessed the rapid means of communication that a telegraph possessed. Those magistrates admitted they knew of the outrage; they could have interfered to put it down; they were asked whether they had done so; they all admitted they did not. Then as to punishment: poor Mr. Smith was condemned to be hung by his neck till he was dead. The privy council of Barbadoes declared—what? That in their opinion the conduct of these magistrates had been most reprehensible. The governor then asked advice of his council as to what was proper to be done in consequence. The council replied, it would be proper for the governor to express his reprobation of such conduct as the magistrates had been guilty of; and this was done in such a manner, that even the expression of the governor's displeasure was evaded. The hon. gentleman concluded by moving, "That this house, having taken into their most serious consideration the papers laid before them, relating to the demolition of the methodist chapel in Barbadoes, and the expulsion of Mr. Shrewsbury, a licensed teacher of religion, deem it their duty to declare, that they view with the utmost amazement and detestation that scandalous and daring violation of law; and that they beseech his Majesty to take such steps as shall secure the reconstruction of the chapel, at the expense of the colony of Barbadoes, and to assure his Majesty that this house will afford him every assistance which may be required, in order to prevent the recurrence of such out-

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rages, and in order to secure ample protection and religious toleration to all his Majesty's subjects in that part of his dominions."

Mr. Wilmot Horton would confine himself to such a statement as might possess the house with a knowledge of the real condition of the island to which the motion of the hon. gentleman referred, at the time the facts in question occurred, in order that the house might be the better judge of the original causes which had led to such unhappy results. In doing so, however, he hoped to induce them to conspire with him in the attempt to deduce some measure of a preventive and conciliatory nature, and calculated, therefore, to produce good understanding and harmony in the colony hereafter, and to obviate the future recurrence of such evils, rather than attempt to follow step by step the minute and generally accurate statement of facts which the hon. gentleman had made. He deprecated any proposition that was calculated to re-awaken a feeling of mutual animosity between parties who had already proceeded to such extremities. The hon. gent. had endeavoured to establish an analogy between the cases of Mr. Smith and the Barbadoes magistrates; but on his own showing it must have appeared to hon. gentlemen that no such analogy could be sustained. And it was moreover to be observed, that in the case of Demerara a particular state of slavery existed, and a particular law applicable to it, that had received our sanction for many years past. The bearing of that system and that law on Mr. Smith's case could not be analogous to the proceedings

ceedings of the Barbadoes magistrates, or the proceedings of the council in respect of them. If it could be shown that the irritation which had been so evinced in Barbadoes against Mr. Shrewsbury and those of his profession generally, was a feeling mixed up with that sort of anxiety about the fate of property which was so natural to all men, that again would go to make the present case one that was to be considered on its own peculiar grounds. Now with respect to Mr. Shrewsbury himself, he did not for one moment mean to raise any argument against the respectability of that individual. He felt no doubt on the subject. The testimonials to which the hon. gentleman alluded came from individuals of high character, and were therefore entitled to every consideration and all possible weight. At the same time it was tolerably evident that the people at Barbadoes might have considered themselves likely to be prejudiced by the conduct of Mr. Shrewsbury; for one month only after that gentleman's arrival in the island he wrote home a letter to the Wesleyan missionary society, containing some severe strictures on the state of religious and moral instruction as then existing there. These remarks, which reflected on some of those who were connected with that prevailing system, did accordingly expose Mr. Shrewsbury to a good deal of observation in Barbadoes. He himself put up a copy of his letter in the public commercial room there; a step which some were not backward to consider almost as a step of defiance. As to the chapel itself which had been destroyed, he (Mr. W.

Horton) would just mention, by the way, that three-fourths of the cost of its re-edification, and of the minister's stipend and support, had been subscribed in Barbadoes alone. The hon. gentleman then adverted to the difference observable between that resolution of the Wesleyan society of Jamaica, which declared that the society did not consider it incumbent upon them in a slave country to interfere in the laws, &c. respecting slaves, and the resolution of a very opposite tendency of the home Wesleyan society. These differences were calculated to excite a degree of alarm in the minds of the West Indian colonists, lest the proceedings of the missionaries should some day involve the property of the planters and whites in irretrievable ruin. The only practical question to be considered in respect of that part of the subject, was this — were gentlemen prepared at once to do away with a certain mitigated system of slavery, which they had sanctioned for so many years? He could inform the hon. gentleman that it was not the intention of the attorney-general at Barbadoes to take any steps until the opinion of the government should be received by him. He repeated, that he would not hesitate to assert that a scandalous outrage had been committed; and much as he deprecated it, he could not but see that its immediate cause was in the strong prejudice which existed on the part of some of the proprietors of the estates against the interference of the Wesleyan missionaries. The reason of this prejudice was, that they found them opposed to the erection of churches and to the education and religious

religious instruction of the negroes in the manner proposed by the establishment, although they were themselves engaged in exactly similar pursuits. The proprietors preferred the instruction of the ministers of the establishment to those of the Wesleyan methodists, because the former inculcated the doctrines of peace and civil obedience on the part of the slaves; and the latter preached to them principles which, perhaps, from being imperfectly understood by the slaves, led frequently to discontent and sometimes to disorder. The hon. gentleman then quoted the statement, on oath, of Mr. Hines, of Trinity college, Cambridge, who had been in the West Indies, and who said that he had applied frequently to proprietors for permission to instruct their slaves in the principles of religion, and that he had upon almost all occasions been favourably received. He had seen great zeal displayed by the proprietors in furthering his intentions, and knew that many of them read prayers and explained the scriptures to their slaves. He added, that he believed the general sense of the planters was much in favour of their slaves being instructed in religion, if it were performed by a member of the establishment. This, the honourable gentleman observed, was in direct contradiction to the statement in the missionary report. He could offer no apology for the conduct which had been pursued in Barbadoes, and which had given rise to this motion. He believed, however, that the actors in that outrage, although they might have been under the influence of some moral demerit, had not been ac-

tuated by any want of respect for religion. He hoped that the proof which it afforded of an angry and dangerous spirit would have the effect of inspiring the religious missionary societies with some caution, and induce them to endeavour to disarm that spirit by measures of conciliation.

Mr. W. Smith said, that, not for the sake of the Wesleyan missionaries, but for the honour of the country, he thought it necessary that a lesson should be read on this occasion to the inhabitants of Barbadoes, who had displayed so dangerous and outrageous a spirit. He was as desirous as any person could be, that conciliation should be in all cases first resorted to; but it had now been tried more than twelve months, and had produced no good result. Those decided measures were necessary in order to prevent worse consequences, and he saw no objection which could reasonably be made to the motion of his hon. friend (*Mr. Buxton*.)

Mr. Canning said, with respect to the acts which were declared in the papers before the house, it was impossible that there could be but one opinion. They were unjustifiable and indefensible—a violation of law—a defiance of authority—a flying in the face of parliament and of the country. He did not hesitate so to characterize those acts; and if he differed with the honourable member opposite, as to the mode in which the house ought to proceed, that difference was founded on practical considerations, and not upon a wrong estimate of the acts themselves. He admitted that it was the duty of parliament to guard against the recurrence of the

causes which might produce similar acts. The case of Mr. Shrewsbury had been likened to that of Mr. Smith, but there was this striking difference between the two cases,—without wishing to say any thing harsh of Mr. Smith,—that in the conduct of Mr. Shrewsbury it was impossible to find any cause for blame whatever. Allusion had been made to the letter written by Mr. Shrewsbury. He admitted—it was impossible to deny,—that he was perfectly at liberty to write such a letter; but he could not help declaring that in his opinion nothing was more likely to paralyse the efforts of Mr. Shrewsbury than the publishing and sending of it out to Barbadoes. The object of Mr. Shrewsbury in going to Barbadoes, was to stem the prejudices which prevailed against the sectarians; and before he had been in the island long enough to effect that object, his letter was sent out and circulated there: it was like throwing a firebrand among the Barbadians. There were several parties connected with the proceedings to which the attention of the house had been drawn—first, the unknown persons in Barbadoes who had committed the outrage—secondly, the magistrates, who it was impossible to say had done their duty, or even seemed sensible of the extent of it—thirdly, the governor of the island—and fourthly, the home government. He was disposed to view the conduct of the governor with great indulgence. He thought he ought not to be blamed for not having called out the military force, when his legal advisers were of opinion that he had not authority to do so. The governor did not seem

to have been aware of the extent of his authority, but being advised from home that the limits of his authority were wider than he supposed, he had subsequently shown every disposition to exercise that authority to its utmost extent, and which he had done so effectually as to prevent any repetition of outrage. With respect to the home government, it was impossible to charge it with remissness. Lord Bathurst had done every thing in his power to prevent a repetition of the scenes which had occurred, by calling on the governor to exercise extended authority, to pronounce animadversions on the magistracy, and to require a more accurate investigation of the manner in which that body discharged its duty. The honourable mover said, that the magistrates had been punished in no way except by being reprimanded by the governor. Looking on the face of the papers, it certainly did appear to him that many of those magistrates should be removed from their offices to make way for others. But he did not know enough of the state of society in Barbadoes to authorize him to believe, that if the present magistrates were displaced, other persons could be procured who would discharge the duties of their offices better. He thought the honourable member asked a little too much for the Wesleyan missionaries. He was not inclined to disparage the efforts of those persons; they had certainly effected much good; but he would not confine the education of the slave children to them alone. The hon. mover had referred to some sentiments which he had expressed on a former occasion, and inferred that

that they applied to the present case: that he must deny. He had always said that a case of contumacy or resistance on the part of the West India colonies might arise, which would induce ministers to call upon parliament to exercise its authority; but he must maintain that the present case was not one of that description. It was merely a case of misconduct, arising out of misadvice. The fault was to be found in the governor not having used the powers which he possessed; and his apology was, that he did not know he possessed them. Was he (Mr. Canning), however disposed to pass over the outrage which had been committed without observation? No such thing. Though he did not think the case was one which called for the exercise of such authority as the resolution of the honourable mover indicated, he thought it was one on which it was fit that the house of commons should express its opinion—not in censure of the governor, for the hon. mover did not mean to blame him, nor of the home government, for that confessedly had done every thing in its power,—but in aid of that government, and to prove to the colonies that the house of commons approved of what the government had done, and were ready to give it their support, if necessary, in what any future exigencies might require to be done. He had prepared an amendment to that effect, which he would read to the house. “Resolved, that this house, having taken into its most serious consideration the papers laid before them relating to the demolition of a methodist chapel at Barbadoes, deem it their duty to declare, that they view

with the utmost indignation, that scandalous and daring violation of the law; and having seen with great satisfaction the instructions which were sent out by the secretary of state to the governor of Barbadoes, to prevent the recurrence of similar outrages, do most humbly assure his Majesty of their readiness to concur in every measure which his Majesty shall deem it necessary to require for securing ample protection and religious toleration to all of his Majesty's subjects in that part of the empire.” The hon. mover would see that the principal difference between the amendment and the original resolution (excepting in what related to the rebuilding of the chapel) was the substitution in the former of “indignation” for “amazement and detestation.” He believed the substituted phrase was the more parliamentary, and at all events it was on the present occasion the most correct; for it was somewhat extraordinary that the honourable gentleman would declare his amazement at an event, than which he had stated, both at the outset and the conclusion of his speech, that he had never expected any thing else. The part of the original resolution which pledged the house to take steps to procure the reconstruction of the chapel at the expense of the colony, involved a principle which ought not to be approached but with the greatest caution and deliberation. There were not many instances in the history of this country of penal inflictions on large and distinct parts of the empire. In our internal history, the proceedings which grew out of the Porteus riot at Edinburgh was, he believed, almost the only instance of the kind;

kind; and in our external history the Boston import bill was the only one which occurred to him, and that could not be considered a very auspicious indication for precipitate legislation. It would not become parliament to set such a question afloat, unless they were prepared with every feeling of their hearts, and every nerve of their frame, for the utmost consequences. The principle ought to remain passive in the omnipotent bosom of parliament, and never be brought into action till the legislature was prepared at all risk to push it to the utmost extreme. There was another reason why the amendment was preferable to the original resolution—namely, because it approved of the conduct of the home government. The effect of passing any resolution which did not contain an approval of the conduct of the government, would be to impeach that conduct; and he was sure that it was not the intention of the honourable mover to do any such thing. Believing, therefore, that the amendment was in every respect more fit for the purpose which the honourable gentleman had in view than his own resolution, he would conclude by moving that it be adopted.

Mr. Brougham approved exceedingly of the amendment, which had the recommendation which belonged to few amendments that came from the other side of the house—namely, that of being an improvement. He disapproved of that part of the original motion which pledged the house to take measures to compel the inhabitants of the colony to rebuild the chapel, though not for the same reasons which induced the right hon. gentleman to disapprove of

it. He must protest against the perpetual reference which was made to the example of North America, to dissuade parliament from any interference with the colonies. The interference (the right of which could not be denied) must always be a question of expediency. It might have been inexpedient to come to issue with Boston, but it was by no means clear that it would be inexpedient to adopt a similar proceeding with respect to Barbadoes. It might be wrong for parliament to interfere with Barbadoes, but it would, he thought, be by no means dangerous. He had a very great respect for all the West Indian colonies from Cuba down to the little Virgin islands, but he would not attach too much importance to them. To think of their doing any thing against the mother country, the idea was ridiculous. What he desired was, that parliament should do its duty when the West Indians would not do theirs. The hon. secretary for the colonies had been somewhat meally mouthed when speaking of the authorities at Barbadoes. He was glad that his right hon. colleague had assumed a bolder tone—he had probably acquired that in transactions with the holy alliance. He had had dealings with kings, and was therefore not afraid to speak out; but the hon. secretary, who had hitherto talked only with the governors of colonies, could not venture to declare himself so frankly. The hon. secretary had spoken of the excess of feeling of the good people of Barbadoes—of their excitement under the influence of which they had exceeded the bounds of discretion. They had only burnt down

down a chapel, made a great riot, and committed high treason. It was an amiable excess of feeling, not to be reprobated, but lamented. No; the hon. secretary did not even lament the display of this amiable excess of feeling, but only that people should give cause for its exhibition. He said that it was in the defence of their property that the people of Barbadoes had exceeded the bounds of sound discretion. No doubt they had; just as a man would, who, in his desire to take care of his own purse, should appropriate to himself his (Mr. Brougham's). That was just what the people of Barbadoes had done. In order to protect their own property, they had thought it right to destroy the property of the methodists, and to commit offences day after day, and night after night; and that was not all—they declared that what they had done was the triumph of pure religion. They disclaimed the excuse which the hon. secretary made for them: they were not actuated by the sordid motive of a regard for property; indeed, they burnt, destroyed, ran the risk of murdering, committed high treason, all in the name of true religion. Excesses had often been committed in the name of religion, as well as in that of liberty; but never before had that sacred name been so prostituted as on the present occasion. With respect to the missionaries, he must declare that they had done great good in the West Indian colonies. The church, of course, must be protected; but he would deal with an equal hand, and afford protection to the sects likewise. The church was not adapted to the exigencies of the

colonies. It was impossible that the task of instructing the slaves could be left to the church alone. The very accomplishments of the clergymen of the church, the education which they received at Oxford and Cambridge, unfitted them for the task of converting and educating the unfortunate beings who ought to be the peculiar objects of proselytism and instruction. On this point he was supported by the authority of a member of that house, who had written a pamphlet on the state of the West Indies, and whom, as the author of the pamphlet, he might name—Sir George Rose. The same doctrine had been laid down by the clergy themselves. Some years ago, a clergyman, in a letter to the Duke of Portland and Lord Bathurst, gave his positive testimony in favour of sectarian teachers. It was not, therefore, at present a question between the church and the sects, but it was a question whether the slave population was to be instructed at all. Greatly different from his opinion of the missionaries was that entertained by a right rev. prelate who had lately been sent out to Jamaica, and who had sent home a despatch as a sort of tithe or first-fruit of the new arrangement. The despatch which Bishop Lipscombe had sent from Jamaica was more ridiculous, in point of value, than any thing which the poorest Welch bishop ever presented to the first-fruits' office. But, whatever were the deficiencies of the bishop's communication in point of value, it was in no way deficient in a determination to say nothing but what was in favour of the most excellent established church; nothing but what was in censure of

of the missionaries. The bishop must have made up his account with singular dispatch; for from the time at which he set out, which was during the hurricanes of December, it was impossible that he could have arrived before the first of March, and the report was made up on the 12th of the same month. He would read a few passages from the rev. prelate's report, and he would have the house only see how greatly he differed from all who had gone before him, and how orthodoxly he stood up for the establishment. "The negroes," he said, "have a strong predilection for the church of England, if they possessed opportunities of attending divine service." Here it would be seen, that the right reverend prelate had arrived at a perfect knowledge of the predilection of the poor negroes for the established church, including the thirty-nine articles, and its practical as well as religious relations, in the course of the first fortnight after his arrival. Lord help him, to think that the rev. personage was speaking of the negro slaves of the West Indies. They knew nothing, poor things, of the difference between consubstantiation and transubstantiation, or that "verily indeed," meant "indeed and verily." The bishop proceeded thus—"Wherever I go I find that the greatest aversion exists against sectarians of every denomination, and they have every degree of confidence in any teacher of religion whom I may be pleased to appoint." He had no doubt, from what the bishop afterwards said, that he happened to have a deep sonorous voice. "The psalmody and the organ have

great attractions for them. They are peculiarly fond of form and ceremony, and are greater critics than many persons give them credit for." (*Mr. Canning asked whether it was the negroes who were spoken of in that passage?*) Oh, yes; it was the negroes. The bishop had fathomed their character as quickly as the negroes had fathomed the merits of the establishment, and discovered the *mana* which was concealed in its bosom. He had examined them with the eye of a lynx, and got at the depths of their character. The report proceeded—"On account of the capriciousness of the negro character, it is difficult to ensure their attendance, when great pains are taken for that purpose; but whenever the teacher is popular, they dress out their children and themselves, which is a sure sign that they are in good humour." It was the first time he had ever been aware of that trait in the negro character. He knew, indeed, that with respect to bishops, the better humour they were in, the more magnificently they dressed themselves out in lawn, and satin, and powder; but he never knew that negroes were in the habit of expressing their satisfaction in a similar way. Negroes were not in general fond of much clothing; and he might have imagined, had not the bishop said to the contrary, that they would consider themselves the better dressed, the less clothing they had upon them. He was surprised that in the same sentence in which the bishop said the negroes were fond of ceremony and form, he should call them capricious; because the more they were fond of ceremony and form, the

the more episcopalian were they in the cut of their opinions. Now came the passage, which when he wrote them, the bishop must have been thinking of his own voice—"They are greater critics than many persons will give them credit for being, and they have a great prédilection for a powerful and sonorous voice." A little further on, the reverend prelate says, that he will go amongst the negroes to observe their character. He reversed the usual course of proceeding, which was to see first, and report afterwards, for he makes up his report in the first instance, and then says he will go and see what he has been writing about. The report concluded in the following manner:—"In the mean time I am happy to assure your lordship that a wish to ameliorate the condition of the slaves, and to instruct them in the principles of the established church, seems to pervade the great mass of the planters, and that every facility is afforded to the visiting of plantations." Such was the manner in which the methodists were treated; such was the great horror of sects, and the great love of the establishment which the poor negroes entertained, and such were the bishops who were sent from Oxford and Cambridge to give them instruction. For his part, he would rather have one poor methodist missionary in the West Indies for one year, than all the hierarchy, all the bishops together, if they were all like this one, for half a century. It had been said that Mr. Shrewsbury should not have written the letter which had been alluded to. He did not believe that the letter was the cause of the ill-treatment which

he had received. The outrage was not directed against him *qua* a libeller, but *qua* a missionary. He would now take the liberty of informing the house, that a law existed in the West Indies which declared that if a negro should hold up his right hand to his master or mistress, with intent to strike, it should be a felony, and he should suffer death as a murderer. Another law declared, that if a negro struck any white person not his master or mistress—a child, for instance,—he should, for the first offence, be punished with six months' imprisonment and hard labour; and for the second offence, be liable to transportation for life, and to receive a hundred lashes. This, for an offence which in England would be punished with a shilling fine. This was not an old law. It was a law passed to amend the existing laws in favour of the slaves, and it was passed in 1824, eight weeks after the debate on Mr. Smith's case. This was the way in which the inhabitants of the West Indies redeemed their pledge that they would amend the condition of their slaves. This, he (Mr. Brougham) repeated, was the way in which the colonists fulfilled their pledge! What had Jamaica done? Let the house observe. A bill had been brought into the house of assembly, just barely to render negro evidence admissible in courts of justice. The Duke of Manchester, in his despatch, applauded the principle of that bill, and lauded the liberality of the assembly for allowing it to be brought in. The duke further expressed his belief, from the influence and respectability of the mover of that measure, that it would be carried. But had it been

been carried? No. On the second reading it had been lost by a majority of 36 to 1; the whole assembly, with one voice, voting against it, except only the individual by whom it had been introduced. This was colonial liberality. But the assembly had not thrown out all bills presented to them? No: they had passed two; one, enabling a proprietor to manumit slaves in despite of an entail upon his estate; and another, making the person of the slave privileged from an arrest on a market-day as well as on Sunday. But, privileged from arrest?—arrest from whose debts? For his own debts—the debts of the slave? No; but for the debts of his master. And this was legislating for the negroes!—enacting that they should not be arrested for debts they had nothing to do with contracting, on a market-day, when it was the interest of their masters, as well as of themselves, that they should be able to carry on the little trade by which they maintained themselves uninterrupted. He had gone through all the evidence; he had looked at the subject with the assistance of persons more conversant with its details than himself: and he repeated to the house, that he saw nothing which amounted to real amendment in the spirit of West India legislation. The colonists had been warned, but they refused to listen. They had promised reform, and their promises had been violated. The voice of the mother country had called upon them; troubles at their own doors had besought them to hearken to it; but still they remain unmoved. Then, if they—the colonists—would not see the storm which

lowered upon them; if the home government counselled and called upon them in vain: if they would not redeem the pledges which they had given for improvement, he (Mr. Brougham) would show that he held his upon that subject more guarded and more binding. Early in the next session—unless something occurred in the mean time to show that the colonists themselves were proceeding in earnest—he should move for leave to bring in a bill to the following effect:—1st, to address itself to making slave evidence admissible in courts of law—leaving the question of credit to make its way as it might: 2d, to abolish the practice of punishing women in the field: 3d, to get rid of the whip, as a stimulus to labour: 4th, to adstrict the slave, under all circumstances, to the soil: 5th, to prevent any person having a plantation, or a mortgage upon West-India property, from holding any office of trust, civil or military, in that colony; and last of all, to take such a course, as might be safely taken, looking alike to the rights of property and to the interests of the master and the slave—to take such course, as, consistent with due attention to those objects, might prepare, gradually but firmly, for final emancipation. Now he agreed that it would be incomparably best that measures to this effect should be taken by the colonists themselves; but if they were not adopted before next session, he (Mr. Brougham) should most certainly interfere. He was quite sure that in so doing he should only do that which would be to the advantage of the colonists themselves: and if he himself did not bring in the bill

bill of which he spoke, they might rely that, at the time to which he referred, it would be brought in by some one else. Of this fact he was certain—such a measure would come forward with the voice of the whole country to back it. It would attempt nothing more than was just; nothing more than was necessary; and nothing but what would be equally beneficial to the master and the slave. In introducing it he should do nothing more than was in strict conformity with the privileges of parliament, the statute law, and the rights of the mother country; and he felt convinced that he should have the cordial co-operation of all his friends on that (the opposition) side of the house.

The address was agreed to without a division.

Mr. Huskisson moved the third reading of the ships' registry bill.

The bill having been read a third time, the right hon. gentleman said he had two clauses to propose by way of riders. It was well known, that by the navigation laws, as they now stood, British ships were not allowed to repair in foreign ports, unless the master or owners declared that such repairs were absolutely necessary for the safe performance of the voyage; and then the repairs were limited to barely what were necessary for the voyage. It was also a part of the navigation law, that no British ship should proceed on a voyage, out or home, unless three-fourths of her crew consisted of British seamen. These were regulations which he did not wish to destroy, as their tendency was for the general benefit of the country; but circumstances might arise, and

some were now in actual operation, which would render the strict enforcement of the law in those two respects of great injury to the commerce of the country. At this very moment the merchant service, particularly in the port of London, were put to great inconvenience, indeed were likely to be severely injured, (unless some timely remedy was devised) by the combinations among the shipwrights. These combinations did not arise from any alleged deficiency of wages, (for with what was now paid the men were satisfied) but from an objection taken by them to particular regulations in the several yards. The consequence was, that for some months past no ships were repaired in the river. It had occurred to him in the committee on the combination laws, that some immediate and decisive step should be taken to cure so great an evil. He was the last man to propose any measure which might be an infringement on our navigation laws; but those laws would be injurious, if allowed to prevent the remedy of so great an evil as that to which he alluded. The combinations, as he had stated, were not for a rise of wages, but the men were prevented from going to work by the authority exercised over them by certain clubs and unions, committees of which were daily sitting. Now, it was the duty of the legislature to show to those parties who thought that they must succeed, as they had the power of refusing to work, that they were not without the means of applying a remedy to this evil, by allowing ships which were prevented by the combinations from being repaired in the river, to proceed to some foreign

foreign port. This was a measure which the shipwrights did not contemplate. They imagined, that as the law now stood, they must succeed, and, indeed, he had heard of its being declared amongst them, that the present struggle should be a trial between capital and physical strength. He would, therefore, propose a clause—that for a limited time (for he hoped that in a short period these men would be induced to see their error, and the ruinous consequences it entailed upon themselves)—he would say for two years—the king in council should have the power, when a sufficient representation was made of the inability to procure repairs in a British port, owing to any combinations among shipwrights, to allow British ships to be taken for repairs to a foreign port. This, he had no doubt, would teach those deluded men that they were injuring only themselves by their conduct, and that no conduct of theirs could deprive the merchant service of the protection which was due to it from the country. Another species of combination equally injurious to our commerce, was that which sometimes prevailed among merchant-seamen, particularly in the northern ports, in Shields, Newcastle, and other places, by which vessels were prevented from going to sea from want of a sufficient number of British seamen. To remedy this, he would move another clause, giving a power to the king in council, upon a proper representation of the necessity of the case, to allow British ships to clear out from our ports with a larger portion of their crews consisting of foreigners than was at pre-

sent allowed by the navigation laws.

On the clause being brought up, *Mr. Ellice* said, he entirely concurred in the proposition of the right hon. gentleman, and he only regretted that he did not carry the principle farther; for he could not see on what fair ground British merchants should be prevented from taking their ships to that foreign port where they might get them repaired at the cheapest rate. The present state of things in the port of London was a good deal the fault of ship-owners, who might, if they pleased, have a considerable number of shipwrights from Norway. As to the combinations among the merchant-seamen, he thought, in the course of time, it would prove a benefit to the country; for, at present, many ships were principally worked by apprentices, which, in the course of a few years, would give a vast addition to the number of able seamen.

Mr. Robertson opposed the clause, and contended that this mode of acting was unbecoming the firmness and dignity of the legislature. They themselves had caused the evil to which they were now about to apply so inadequate a remedy. They drove the working classes to discontent and desperation by the system (which had been proposed on the opposition side, and sanctioned by ministers) of allowing all the artisans of the continent to come into competition with them. It was impossible that a course of policy having a tendency so injurious could have any other effect than that of producing great discontent amongst the people. The course now proposed would have the effect of driving

driving our shipwrights to America, from whence we should not be able to recal them in time of need. In the same manner, the measure now proposed would affect the seamen. It was now intended to allow competition with our seamen, by permitting the employment of a greater number of foreign sailors to form part of the crews of British ships than was authorized by the navigation laws. Was not this gross injustice to our seamen, when at the same time the policy we were pursuing in other respects prevented our merchants from giving them that fair remuneration for their labours which they had a right to expect? By some recent measures, the ships of all nations were permitted, in a great degree, to come into competition with our own; and these, which would have the effect of preventing the merchant from paying the sailor the wages to which he was accustomed, were now to be followed up by an enactment which would drive him out of the service altogether. How was it possible to expect the gratitude of these men after such treatment? He would willingly enforce the combination laws, and put down all attempts to procure higher wages by such illegal means; but he could not shut his eyes to the fact, that the working classes, the mechanics and artisans, were badly treated by the legislature. There seemed a disposition in the house to grind and oppress those people. (*Cries of "No, no."*) He repeated the assertion, and took the actions of the house as demonstrations of its sentiments. The recent measures by which the trades of the continent were allowed to enter

into a competition with our own, had, he maintained, no other tendency. The effect of these impolitic regulations had already been felt in the diminution of the carrying trade. The tonnage of the British vessels which sailed from our ports had been considerably reduced. It was less this year by some hundred thousand tons than what it had been some few years back.

Mr. Hume said that the hon. member who spoke last had quite mistaken the principle of the proposed clauses. He could not have understood them, if he supposed their object was to oppress the people, or any portion of them. He would be as unwilling as any man to consent to any measure which would have the effect of oppressing the people. In the committee on the combination laws and elsewhere, he gave it as his opinion, that the workmen should have the power of getting from the masters the highest price for their labour, but he would not sanction their associations to force men from their employment who were willing to work at a lower rate. It was but fair that all parties should be protected alike. The object of the proposed clauses was to put down those pernicious combinations which tended so directly to injure the commerce of the country. So far he fully concurred in them, and was only sorry that they did not go farther, and allow merchants to resort to foreign ports to build ships as well as to repair them. This would effectually teach those "clubs" and "unions" that their associations would in the result be highly injurious to themselves.

The Chancellor of the Exchequer said,

said, that a few facts would tend more to elucidate this subject than all the wrath of the hon. member for Grampound (Mr. Robertson.) The hon. member had stated, that in consequence of the measures which he deprecated, there had latterly been a considerable decrease in the number of British ships which cleared out from our ports. Now he had a statement before him which clearly showed how much the hon. member was in error on this subject. From this it appeared that in the year 1818, there cleared out from the ports of Great Britain 9,593 British ships; in 1819, 11,071; in 1820, 10,212; in 1821, 9,451; in 1822, 9,111; in 1823, 9,173; in 1824, 9,251; and in the year 1825, that year which the hon. member described as so disastrous and destructive to British commerce and British shipping, the number of British ships which left our ports was 11,731. The tonnage of the British ships which left our ports in 1818, was 1,500,200 tons, and that of the vessels this year was 1,797,000, being an increase in the last year of 296,800 tons. Then as to the number of merchant vessels built within the last three years. In the year ending 1823, there were built and registered in our ports 780 merchant ships, burden in the whole 67,144 tons; in 1824, the number built and registered was 847, burden 86,028 tons; and in the last year—that year of destruction and ruin of our commerce—there were built and registered 1,011 ships, exceeding in the whole 100,000 tons. If this was the ruin and destruction of our commerce to which the hon. member alluded, he would say,

may such kind of destruction go on.

Mr. Robertson, in explanation, read a short statement of the amount of British shipping in the last few years, from which, he said, it appeared that our shipping had, last year, decreased by nearly 400,000 tons.

Mr. Bright opposed the clauses.

Sir M. W. Ridley supported the clauses.

Mr. Huskisson said that if the clauses were allowed to be read, every man would see their plain import.

Adjourned at half-past two o'clock.

House of Lords, June 24.—

Lord Dacre presented a petition from the churchwardens and others of the parish of Sutton, in the county of Bedford. The petition, he observed, was signed by persons of the highest respectability, whose characters sufficiently vouched for the truth of the allegations they made. For his own part, he was always very reluctant to present any petition affecting the character of individuals, unless he had the strongest grounds for so doing. In this instance complaint was made of the conduct of a clergyman of the established church, and the petitioners were desirous that an end might be put to the scandalous scenes which had occurred among them. It appeared that in 1814-15 Dr. Free had been appointed to the living of Sutton, in Bedfordshire. Soon after his appointment, circumstances took place of so disgusting a nature as to provoke the indignation of the parishioners. Not only did the petitioners complain of scenes which they had witnessed, but they stated that the clergyman

clergyman had openly about him a number of illegitimate children. Application had been made on the subject to a right rev. prelate, whom he now saw in his place in the house. That right rev. prelate directed proceedings to be instituted against Dr. Free in the court of arches. The learned judges of that court had admitted the truth of the charges: but by the act of George the Third, relative to matters of this kind, proceedings against a clergyman for incontinence were restricted within very narrow limits. A doubt was entertained whether the period might not be enlarged, and that question was brought before the proper court. The petitioners prayed that the time for instituting proceedings might be enlarged. He hoped that the right rev. prelate would, in the course of the present session, take some decisive step on this subject.

The Bishop of Lincoln felt as strongly as any man could the gross immorality which was complained of by the petitioners, and none more anxiously wished to put an end to it by effectual means. Since he had been appointed to the see which he had now the honour to fill, he had felt it to be his duty to cause an inquiry to be made into the conduct of the individual mentioned in the petition. Finding that all the efforts of the archdeacon to reclaim him were unsuccessful, he had therefore no course left but to bring the case into the court of arches. It was his bounden duty to proceed in this matter; but still he must say that it was very hard that a bishop, in prosecuting such a case, should be put to an expense of 400*l.* or 500*l.* He must also observe that

he concurred in opinion with those who thought that the statute should be altered.

House of Commons, June 24.—

Mr. J. Smith presented a petition from Mr. Montague Burgoyne, a gentleman with whom he had long the pleasure of being acquainted, and a person of the greatest benevolence, who complained on the part of the churchwardens of the parish of Sutton, in the county of Bedford, of the gross misconduct of their clergyman, who had violated all the rules of his order, and given scandal to the neighbourhood, while at the same time he had contrived to evade the punishment due to his offences, and set the parish at defiance. The circumstances of the case were these: In the year 1808, the Reverend Dr. Free got the living of Sutton, and had since by his acts brought scandal and disgrace upon his profession. His conduct had been so notorious, that all delicacy of allusion to it had long been removed. Some of the charges against him were of the following nature:—He was charged in the year 1813, with having had an illegitimate child; in the year 1814, (twice that year), 1815 and 1817, similar charges had been repeated against him; in 1823, a female servant became pregnant by him; and he had caused her miscarriage by violence and ill-treatment. His other vices were drunkenness, exhibiting his person in the most indecent and obscene manner, and in fact openly evincing the most scandalous misbehaviour. To such a pitch had he carried the repetition of his vices, that in the village which, according to the census of 1821, contained a population of 369 souls, the

the congregation attending the church service had dwindled down to 10 or 15 persons, chiefly children and old women. Complaints had been repeatedly made of this person's outrageous immorality, both to the late and present bishops of the diocese; but when it was understood that the expense of a diocesan proceeding at law fell upon the bishop, and sometimes cost 500*l.* or 600*l.*, it was not to be wondered at that such proceedings were not hastily resorted to. However, the case of this profligate person did at length get into one of the courts of doctors' commons, from which, however, he contrived to appeal to the court of king's bench, under the act of the 27th of Geo. III., which was said to limit the introduction of complaints against clergymen for incontinence to a period of eight months from the time of commission; so that the churchwardens were likely, by the interposition of legal technicalities, to be deprived of redress from the open grievances which they now endured from this profligate clergyman, and to be still afflicted by his presence and his vices. It was time, then, to see whether it was not possible to remove some of these legal obstacles to the proper punishment of such an individual: the last and present bishop had had trouble enough with him, and the parish still more; and he defied them all. The prayer of the petition was to amend the act of the 27th of Geo. III., and remove the technical obstacles which had arisen in this case.

Mr. Peel said that he now heard of this case for the first time, and he admitted the great

respectability of the petitioner, *Mr. Montague Burgoyne*. It must be obvious respecting the conduct of the individual who was now complained of, that so very numerous a body as the clergymen of the church of England must occasionally (he would fain hope very rarely) be exposed to the pain of having amongst them some unworthy and disreputable individual. But he could not help thinking, that the exemplary conduct of the body generally, would make the odious conduct of any vicious individual only appear the more glaringly shocking, from the force of contrast. In the present case, if any of these allegations were true, it was quite clear that the individual was utterly unworthy of belonging to the clergy of this country, and he should certainly inquire whether, consistent with the rules of justice and the rights of persons, any impediments could be removed which tended to prevent the punishment of his improper conduct. At the same time, in justice to the person impugned, and as suits were now said to be pending against him, he hoped the hon. member would not move to have the petition printed. He should certainly inquire into the case.

Mr. Brougham said, that as suits were pending, and for no other reason, it would be as well not to have the petition printed. In the proceedings of the diocesan, however, there appeared, for some cause or another, great supineness, which perhaps had led to subsequent delays in the legal measures resorted to against this profligate clergyman. *Mr. Burgoyne* was constantly applied to as a magistrate to take cognizance of charges against

against him, and it was high time that a stop was put to acts which brought scandal upon religion, and disturbed the peace of the neighbourhood.

Mr. John Smith said, that he would refrain from moving the printing of the petition, as the right hon. gentleman (*Mr. Peel*) had pledged himself to inquire into the transaction. He begged to assure the house, that he should not have presented this petition had he not satisfied himself of the truth of the allegations it contained. *Mr. Burgoyne* was constantly called upon as a magistrate to take cognizance of his misconduct, and he had offered more than once to proceed no further against the individual, provided he would resign in favour of his curate, and quit the parish: but the refractory individual set every body at defiance: indeed, the only inference which his conduct had raised was, that he must be insane.

The petition was then laid on the table.

Mr. Denman moved the order of the day for considering the petition against *Mr. Kenrick*, and calling in as a witness *Mr. Martin Money Canfor*.

This witness was then called in and examined and cross-examined. *Mr. Gurney* was counsel for *Mr. Kenrick*; this gentleman having already paid the damages awarded in a civil action, the general feeling of the house was, that although his conduct was wrong, it was not sufficiently so to demand the institution of criminal proceedings.—The committee adjourned to Monday.

House of Lords, June 27.—The *Earl of Liverpool* moved 1825.

the order of the day for proceeding with the bill for regulating courts of law.

Earl Grosvenor took that opportunity of making some observations on sinecure offices—a subject to which he had often before called the attention of their lordships. The office of lord justice general of Scotland, he conceived, was one of that description; and though it had been understood that that office was to be abolished, it appeared that it was still maintained. The noble earl next adverted to the office of the clerk of the pells, which was one of those intended to be reformed, but the public was not sufficiently benefited by any alteration made with respect to it. With respect to the sale of offices in courts of law, he was glad that practice was to be put an end to; he wished to see all unnecessary offices abolished at once. He also objected to the unnecessary increase of salaries. The noble and learned lord who approved of the bills on the table must surely wish that they had been introduced ten years ago. He understood, however, that it was not intended to extend the inquiry with regard to salaries to the court of chancery. He thought, however, that the noble and learned lord, both as head of that court, and as speaker of their lordships' house, should be included in the inquiry.

The *Earl of Liverpool* rose to say a few words, though all that had fallen from the noble earl appeared to him to have no reference to the bills now before the house. The clerkship of the pells had been regulated in conformity with the act of parliament; it was

no sinecure; there was no public office in which the duty was more constant than that of the clerk of the pells; but as the duty had always been done by deputy, it was thought by parliament that that system should no longer continue, and that the person who held it should be an efficient officer. No system could be more perfect than that of the exchequer for preventing faults. This was proved by the fact that for centuries there had been no example of any default occurring in the exchequer. The wise checks which their ancestors had introduced into that department had rendered defaults almost impossible. But the noble lord must not suppose that this system could be maintained unless the officers of that department had efficient duties to perform. With regard to the offices to be regulated, the noble lord was wrong in supposing that changes were made because there was no business to do in them. The bill before the house provided for the abolition of certain offices when the existing interests should expire. The object of the regulations, as he had stated, was, that wherever there was business, the duties should be performed by efficient officers. As to the office filled by his noble and learned friend, the salary he derived from it was known. It was before the house and before the public, and there was no man who knew the duties which attached to that office would think the reward sufficient. The heads of the courts of law had been admitted to be insufficiently remunerated by their salaries, and therefore they had been allowed to profit by the sale of offices; but

the situation of the lord chancellor was different from that of the chiefs of the other courts, for no sale of offices was allowed in chancery. With respect to the puisne judges, he would wish their lordships to reflect for a moment whether it was not proper that they should have an increase of salary. In their situation, and at their time of life, with a knowledge of the labours they had to perform, could any one think them too highly remunerated by 5000*l.* a year? Could it be said that those learned persons were overpaid, when many of their lordships, who had no laborious duties like theirs to perform, possessed so much more?

Earl Grosvenor explained.

The *Lord Chancellor* complained in the strongest terms of the misrepresentations and calumnies which had gone forth respecting the emoluments of his office, although the amounts of its profits had been already given in accounts before the house of commons, and the means were apparent for the correction of such mistakes as had gone abroad. Perhaps it was thought that this mode of calumnious misrepresentation was the way to get him out of office: they were mistaken who thought so: he would not yield to such aspersions, nor shrink from asserting what he owed to himself. Had he been treated with common justice, he should not, perhaps, have remained lord chancellor this day; but he repeated, he would not be driven from his office by calumnious attack. Let him only be treated with common justice, and in five minutes his office should be at any body's disposal. From the accounts which

had

had been furnished to him of his emoluments as lord chancellor, by those who best knew the amount, apart from his income as speaker of the house of lords, he was happy to say, that the lord chief justice of the court of king's bench had received a larger income from his office. He quoted from the average accounts of the last three years; and he would further say, that in no one year, since he had been made lord chancellor, had he received the same amount of profit which he enjoyed while at the bar. Strange, then, it was, that he should be attacked as he had been by misstatements and misrepresentations of every kind. Had he remained at the bar, and kept the situation he held there, he solemnly declared he should not be one shilling a poorer man than he was at this moment, notwithstanding his office. His noble friend (Earl Grosvenor) should not have blamed him for not bringing this subject before the house earlier. It had often been brought forward, and it was thought that the emoluments arising from the sale of offices should not be interfered with, because, had it been abolished, the chief justices of the supreme courts must have received a compensation in some other way. It was therefore concluded that parliament made a good bargain for the public in allowing them to remain. When the salary of the puisne judges had been augmented from time to time, no augmentation had taken place in that of the chiefs, because they were considered as deriving part of their emoluments from this source. It could not for a moment be supposed that, having entered on the laborious duties of

their office under the conviction that its emoluments were to be secured to them by law, they could be turned adrift without any regard to their rights. The parliament had said, by the act abolishing sinecures and regulating offices, that no sinecures shall exist after the present vested interest should expire; but the present possessors had just as good a title by law to their emoluments as their lordships had to their estates. The noble earl entirely misunderstood the question with regard to sinecure offices: Bills had repeatedly been sent up from the other house for abolishing them, and they had been resisted, because the persons who brought them here did not understand the question. It was meant, that because the deputy did all the drudgery of the office, therefore the principal was of no use. The doctrine was founded on a mistake: the presence of the principal might not always be required—his superintendence might not be applied from day to day—but it was applied on proper occasions—and were not his responsibility always interposed, the consequences might be extremely injurious to the suitors and the public. He (the lord chancellor) would pledge himself to be as active as any noble lord in correcting abuses, but he would perform his duty with a due regard to the rights of others. The reason why, in the present bill, there appeared no clause regulating offices in the court of chancery was, that a commission was now sitting on the state of that court. Much misrepresentation had gone abroad concerning his conduct since he presided over

that court; but whatever he might suffer from such calumny and mistatement, he enjoyed the consolation that he had been incorrupt in his office, and he could form no better wish for his country than that his successor should be penetrated with an equal desire to execute his duties with fidelity. The feelings and fate of an individual were in themselves of small importance to the public, and he (the lord chancellor) might be sacrificed to the insults which he daily received; but he begged noble lords to reflect that he might not be the only sacrifice. If the object was, as it appeared to be, to pull down the reputation and throw discredit on the motives and conduct of men in high official situations—if every man who occupied an eminent station in the church or the state were to become the object of slander and calumny—then their lordships might lay their account with similar treatment, and might rest convinced that their privileges as peers could not long be respected when such characters had been sacrificed.

Earl Grosvenor explained.—If the noble lord was not overpaid by the emoluments of his office, it ought to be recollected that it had extensive patronage.

Lord Redesdale defended the conduct of the lord chancellor.

The bill was then read a third time and passed.

The *Marquis of Hastings* moved that the opinion of the judges be heard on the construction of the act for regulating the interest of money in India.

Lord Chief-Justice Best delivered the opinion of the judges in favour of the bill of the noble marquis. The act for restricting

the interest of money to 12 per cent. was to be interpreted according to its letter, as it was a penal statute; and by its literal interpretation it was only to be enforced in the dominions of the company.

House of Commons, June 27.—

Mr. Bernal presented a petition from *Frances Helligar*, complaining of the grievous and intolerable oppression and delay of chancery proceedings. The petitioner is a widow, reduced to pauperism, in the Greenwich workhouse, although her husband left 1,400*l.* and more to her in 1809, of which 300*l.* have been claimed by his creditors, and 1,100*l.* wasted by a common proceeding in chancery for the distribution of the effects. He had hitherto abstained from taking part in the discussion upon chancery abuses, but it was not because he was ignorant of them; on the contrary, he could speak with certainty of the abuses of the practice in the master's office, which were too expensive and dilatory to be countenanced by any persons, the masters themselves not excepted.

Mr. Peel said, that he would take care that the substance of the petition should be referred to the commissioners of equity inquiry. He admitted that the evils complained of were considerable.

Mr. Denison wished to ask of the right hon. gentleman opposite (*Mr. Huskisson*), a question of very great importance to the foreign trade of the country. He would ask, whether it was allowed to the ships of a different nation to import into this country the produce of another country? For instance, whether a Swedish ship would be allowed to take a cargo to the Mediterranean—to sell it

there—and, having taken in another lading in a French port, to bring that lading, the produce of France, to this country? If that were the law, he conceived our merchants must labour under a considerable disadvantage; because he believed the foreign vessel could be fitted out at much less expense than a British vessel. The foreigner could procure his pork and beef 50 per cent. cheaper than the merchant in this country; and if the former were allowed to import here the produce of France, the situation of the latter must be considerably deteriorated.

Mr. Huskisson did not know whether the hon. gentleman was speaking of any supposed alteration that was about to take place in the navigation laws of this country, or as to the alteration which had been made in them some time ago. Before the revision of the act of Charles II., goods, the produce of Europe, were allowed to be imported into England, in ships of the country to which the articles belonged. There were, however, some bulky articles to which this provision did not extend, such as flax, timber, masts, tar, and several others, which were commonly known under the name of enumerated articles. These were generally exempted from the operation of the law, which allowed the bringing of goods, except those specified, from any ports in Europe. By an act brought in by an honourable friend of his in 1822, the law of Charles II. was so far altered, that the enumerated articles were placed under a new provision. That new provision was, that the enumerated articles might be brought from the countries where they were grown in

the ships of that country, or in British ships; and from any other countries where they were not grown, if carried in ships of the countries where they happened to be so deposited. Thus masts could not be brought here from Russia except by Russian or British ships; but if those masts found their way to Holland, or any other country in Europe, and were landed there, they might be brought to England in the ships of that country, or in British ships. Prior to the act of 1822 those enumerated articles could not be imported except in ships of this country. The alteration as to the carriage of those articles to this country in ships belonging to a country where they were not grown, but where they had been landed, was found to be a most useful and wholesome provision. The general provision of the act of Charles II. was, that no article, the produce of Europe, should be brought to England, except in British ships, or in ships of the country where the article was grown. But they had been obliged to modify that provision. Since the United States became an independent state, European articles were allowed to be imported in ships of that country; and it had been subsequently found necessary farther to alter the clause, in consequence of the new states which had recently sprung up.

Mr. Wallace moved the order of the day for the house resolving itself into a committee of the whole house on the combination of workmen bill. The right hon. gentleman said he would, in moving "that the speaker do now leave the chair," briefly state the ground

on which the present measure was founded. The statement made on a former night by a right hon. friend near him (Mr. Huskisson), though it had not been substantiated in all its particulars by the evidence, yet was so far borne out, as to the general extent and nature of the combinations that existed throughout the country, and the effect of those combinations, that it was quite clear, from what had come to light, that some farther intervention of parliament was absolutely necessary. It appeared to him and to others, that the only practical view that could be taken of this subject was to examine the actual state of those combinations, to see if any alteration had taken place in the conduct of the parties, in consequence of the repeal of those laws, which it was confidently asserted had given rise to the combinations that formerly existed—and also to inquire whether the character of those combinations was in any degree softened or mitigated. All those points were duly considered, and it did appear that the character of those combinations was in some degree altered—that they were greater in extent, but more open in their proceedings, than they used to be. No less than 18 cases of absolute combination were stated to the committee, and of these seven had grown up since the sitting of the committee. With respect to the constitutional character of those combinations, they had found it much the same as heretofore. The parties met regularly and constantly, with presidents, secretaries, and committees. They attempted to take from the masters all resources, by restraining them from taking ap-

prentices. They were all under the superintendence of committees, which committees appeared to be composed of leading members in the trade over the great body of which they presided. The manner in which they issued their orders, and the promptitude with which those orders were obeyed, sufficiently showed their influence. He knew that in the estimation of many gentlemen, those combinations were considered as light and unimportant. He confessed that he was of a different opinion. He viewed the subject as one of very great importance. He knew it had been said, that a good deal of difference might be traced between meetings which took place about a round-table and about a long-table. There was more equality at the round—individuals could more readily deliver their opinions; but, at the long-table, those who were at the upper-end, who acted as directors, could contrive to have their projects carried without much interference from those at the lower end. He believed this was the case in those combination meetings, where the measures were generally carried by the worst and most violent characters. It appeared that the intervention of journeymen had for its object to settle when they would work, whom the master should employ, what they should receive, how many, if any apprentices, should be allowed;—in short, to take all power out of the hands of the master. Beyond this, they had, in some cases, pointed out men to be assassinated—a circumstance which ought not to escape from the memory of gentlemen. He declared that he had not overstated the case: he had confined himself

to the evidence. In Ireland it was stated, that 70 or 80 persons had been wounded. Of these 30 or 40 had their skulls fractured; and two had been actually murdered, in the open day, without the possibility of bringing the murderers to justice. In Scotland, a still more organized system prevailed, and he begged leave to call the attention of the house to the oath which was said to be taken by the persons engaged in Scotland in those combinations. It had been produced before the committee by a respectable manufacturer, and ran thus:—"I, A. B., do voluntarily swear in the awful presence of Almighty God, and before those witnesses, that I will execute, as far as in me lies, every task or injunction which the majority of my society may impose on me, whether it be the assassination of oppressive and tyrannical masters, or the demolition of shops deemed incorrigible; and I will also cheerfully contribute to the support of my fellow-workmen who may have left their employment in consequence of any reduction of wages. And I do farther swear never to divulge the form of this obligation, unless duly authorized to divulge it by the proper authority." Now, supposing this to be a real obligation, what must be the state of society amongst those who would not scruple to subscribe it? Was it fit that such a state of things should be suffered to remain? Could any thing be more dreadful than a combination in which vast numbers of persons were bound together by such a tie? The hon. gentleman then proceeded to detail the evidence of John Kean, an artisan of Glasgow, who in his confession declared that the object

of the workmen in their combinations was to keep up their wages. That there were two committeemen in the general association at Glasgow, whose duty it was to report to the select committee; and that these committeemen were changed every two months. He proceeded to describe the organization of these committees, and stated, that it appeared by the same confession that it had been resolved to take the lives of four of the workmen, Wright, Dunlop, Lindsay, and Ewens, as soon as possible. This committee, it appeared, met every Saturday night between 9 and 10 o'clock. The confession to which the honourable member now alluded, had been made by a man who had been convicted of shooting a workman of the name of Graham, who had gone contrary to the wishes of the committee. He felt that it was unnecessary for him to dwell upon this case, because the atrocity of it must strike every one, and the opinion of every hon. gentleman must be, as his was, that a state of things in which such crimes could be perpetrated ought to be put a stop to without delay. He believed that the same motives were common to all the committees, and that they all pursued the same course. The evil which resulted from it was perhaps greater than could be calculated at the first sight. The most innocent persons might be led, step by step, to become participators in acts of the most atrocious description, and from which, if left to their own unbiassed feelings, they would recoil with the utmost abhorrence. It was very well known that to ensure success to the designs of any committee like those he was

speaking of, numbers were in the first place and most of all necessary. To gain these, every inducement was put in practice. First of all, persuasion and the milder plans were tried; then money was offered to such as wanted it—then warnings—then threats and intimidation; and if these were found to be insufficient, then murder, or an attempt to murder, was resorted to, as had been seen in some recent instances. All these various means had, indeed, been lately practised. The shipwrights in the neighbourhood of London had quietly left their work, and withdrawn from the employment of certain masters. The shipwrights of Bristol had gone a little farther, and had resorted to threats. The coopers of London had made all the workmen who would not obey the rules they laid down, as they called it, uncomfortable. It was difficult to say exactly what they meant by "uncomfortable;" but its effects were easily understood. The consequence was, that all the workmen who had been made uncomfortable became members of the association. The weavers of Yorkshire had proceeded as far as threats, and the workmen in Scotland had gone even greater lengths. An instance occurred a few days ago of a man who had struck with others, and who had received a small sum from the society; afterwards, conceiving that he had permission to return to work, he had done so, and was called to account by the society, and punished for his offence. In Scotland there had been more than one attempt to murder, and in Ireland even some men had actually been murdered. For these reasons it was that he wished to see the law relat-

ing to combinations made stronger, and that the people might be guarded against the possibility of running into excesses, which in the end must be dangerous to themselves; and that they should not, as they did now, think it was meritorious to enter into combinations against their masters. He was no friend to the principle of the laws which had been repealed; he did not wish to see them re-enacted, but he wished that the common law as it had stood before should be again brought into force. This, he believed, would be quite sufficient for the purpose, and he expected that in saying this he spoke the general opinion of the house. By that law sufficient powers were given to the workmen for the preservation of their own interests: they were permitted to meet for the purpose of obtaining an increase of their wages; but if they went beyond this, and attempted to mix up any intimidation of others in their scheme, it was going too far. The object of the present bill was to keep up this distinction, and every thing beside was left to the operation of the common law. He thought the bill of last year went too far, because it gave the men an opportunity of controlling their masters in their trade, and opened to them the power of exercising a compulsion which was unjust and impolitic. The attachment which some workmen had to their masters was very strong; their affection to their families must of course be much stronger; and yet the influence which their societies exercised over them was found to be stronger than either, and induced the workmen in many instances to neglect both, and in preference to obey the orders

orders of the societies. The principle of the bill now before the house was to make all associations illegal, excepting those for the purpose of settling such amount of wages as would be a fair remuneration to the workmen. He knew it had been objected that this was not enough; but he thought it was safer and better to point out the description of association which was legal than to specify all which were illegal, in doing which there was great danger either of putting in too much or of leaving out something which might be necessary. The bill of last year was the same in principle as this, but it went a little further, and this, he apprehended, was the cause of the inconvenience now universally felt. The present bill gave a summary jurisdiction to magistrates; it did away with the necessity of a previous information, and permitted a conviction upon the evidence of one witness only. These were the principal features of the bill. He was aware it would disappoint many persons; for there were some who, listening to their prejudices, thought that the utmost vengeance of parliament ought to be called down upon these combinations; and who thought that rigour and severity were the best tests of power. For his part, he thought the best test of the power of government was shown in its clemency and moderation. If any future necessity should arise, it would not be difficult to make the laws more strict, and to vindicate the authority of parliament as well as to protect the best interests of the country. If it should happen that the consumers were inconvenienced by the consequence of these combinations, the government must

take care to provide supplies at a reasonable rate, by admitting the productions of other countries. He felt all the disadvantages which such a measure must bring with it, but he felt also that, great as their disadvantages were, it was better to endure them than to submit to the tyranny of the combinations of the workmen. The hon. member concluded by moving that the speaker do leave the chair.

Mr. Robertson declared that the repeal of the combination laws would, in his view, be attended with the most mischievous consequences to the workmen themselves. Being enabled to extort from the masters any rate of wages they pleased, they would pass one half of their week always in idleness, and contract the most dangerous habits of excess and intoxication.

Mr. Hume said, that the right hon. gentleman opposite (*Mr. Wallace*) had given the workmen any thing rather than fair play. None of the abuses of which the masters complained so loudly were at all proved in the evidence before the house; and at least the existing system had this advantage over the state of law which was gone by,—there were no more cases of illegal oaths, no more secret societies. No doubt there had been faults, and of late, on both sides; but the masters were at least as much to blame as the mechanics; and he denied that any proof of violent conduct—at least to any material extent—had been given. In the complaints of the master paper-makers, he thought the masters were decidedly in the wrong. So with the coopers; there had been no violence; and

the house could not legislate to prevent petty feuds and differences. The journeymen shipwrights had offered to meet the masters half-way; the latter had refused; and he repeated that the men were entitled to as full a hearing—and their petitions had not had it—as their employers. And after all, what occasioned these existing combinations, with which the house was called upon to deal so vigorously?—The corn laws—the combination of the landowners, which had raised every necessary of life within the last three years from 30 to 60 per cent. in price. It was a little hard to allow the corn grower to bring his commodity as he chose into the market, and to shut out all competition, that he might obtain his own price for it; and then to punish the workman, who was compelled to buy this artificially raised commodity of the landholders, for making what efforts he could to get the best possible price for his own. For, if the masters were to be protected by the bill of the right hon. gentlemen, the men surely had a right to protection too. And had they this? They had not. If the masters combined to give their man only half a sufficient rate of wages, and had strength enough to starve them into taking it, there was nothing in the right hon. gentleman's bill to prevent them from doing so. And how could this danger be met by the workmen, except by counter-combinations; for which, short of carrying them to the extent of violence, he still thought they ought to have the fullest permission? Besides this, he objected to the discretion which the bill proposed to lodge

in magistrates, and thought it would open the door to every kind of injustice and abuse. When the bill was in the committee, he should endeavour to get some of its clauses modified; but, as it stood at present, he was bound to consider many parts of it objectionable.

The house then went into a committee upon the bill.

The Speaker having left the chair,

Mr. Calcraft objected, generally, that sufficient investigation had not been given to the subject.

On the reading of the clause which made it penal to induce any man to leave his work by threat, or intimidation, or insult,

Mr. Hume objected to the wording of the clause as too vague. The word "insult" might be construed a thousand ways, and that which might be considered as an insult to one man, would not be so understood as applying to another. He thought the clause should be put in a more defined shape.

The Attorney-General defended the clause as it then stood.

Mr. Mansfield objected to it.

Mr. Hobhouse opposed the clause as too undefined.

Sir R. Wilson concurred with his hon. friend in opinion as to the word "insult." He knew of no penal enactments so undefined, except at Naples, where a punishment of 100 blows was decreed against any one who should act in any way "disrespectful" to the Austrian authorities. As far as this measure went to prevent combinations, he agreed with it; but he thought combinations might be prevented by less objectionable clauses

clauses than that before the committee.

Mr. Calcraft said he was not anxious to press the word "insult" in the clause; all he wanted was, that sufficient protection should be afforded to those who did not wish to join in combinations.

The *Attorney-General* said, if the word "insult" was thought too undefined, he would not press it; but he had precedent for the adoption of words in a penal clause, which admitted of full as great a latitude of construction. In an act then before him were the words "molesting or obstructing by threats, intimidations, or any other means."

Mr. Scarlett suggested that those words should be adopted in the bill.

Captain Maberly objected to the clause, as too undefined, particularly as it was to be enforced by the decision of a magistrate.

Sir M. W. Ridley thought the word "insult" sufficiently measured; but if the object of the bill could be attained by any other terms, he would not oppose the alteration.

Mr. Hume again objected to the word "molest," as being vague and inexplicit.

The committee then divided, when there appeared,—for the clause, 90; against it, 18; majority, 72.

Mr. Hume moved an amendment, that no master manufacturer, or son of a master, shall sit as magistrate to enforce the provisions of this act.

The committee divided,—for the amendment, 15; against it, 60; majority, 45.—Adjourned at half-past two o'clock.

House of Lords, June 28.—

The *Earl of Liverpool* said, that the writs of error bill was one of those which was connected with reforms in the courts of justice. He then recapitulated the provisions of the bill, which have been already fully stated in the reports of the debates in house of commons, and concluded by moving that it now be read a second time.

The *Lord Chancellor* would not oppose this bill, though he had objections to it. He expressed his conviction that, upon the whole, the abolition of writs of error would produce more evil than any which the bill could cure. The noble and learned lord observed, that as the law now stood, it was true that on judgment being allowed to pass in default, and a writ of error obtained, a creditor might be kept eight or ten months out of money; but then, if justly due, he would at last recover it with interest. After the passing of this bill, however, he would be in a worse situation. The delay would be longer, and the recovery much more expensive. The opinions he held on this subject were the same which had been expressed by the greatest law authorities for the last twenty years.

Lord Ellenborough objected to the clause relative to compensation, and gave notice, that when the bill was committed, he would propose an amendment.

The bill was then read a second time.

The *Earl of Liverpool* moved the second reading of the bill for amending the 6th of Geo. I. commonly called the bubble act.

The *Earl of Lauderdale* opposed the motion. The act of Geo. I. had been passed to correct a great public grievance, which

which would be encouraged by the alteration proposed to be made in the law. The companies now forming, and which the repeal of the bubble act would sanction, were all monopolies, and their effect would be to drive the fair trader out of the market. When the existence of the East-India company, and other established monopolies were objected to, why create new ones?

The *Earl of Liverpool* observed, that the present bill went no farther than to repeal a statute which had never been acted upon, and which had always been regarded as a dead letter. No conviction had ever taken place under this statute, though a century had elapsed since it was passed. He could see none of that danger in joint stock companies which the noble lord anticipated from them. There surely was no fear of those companies doing any harm, as long as all the partners were bound, not only to the amount of the sum they might subscribe for their shares, but to the whole extent of their private fortunes. Though the act of the 6th of Geo. I. was repealed, the common law would remain unaltered. The allusion made by the noble lord to the East-India company was not in point. The objection with regard to that company was, that it was said to be a monopoly against the public; but he was surprised that the noble lord did not see that those companies, if they were to be monopolies at all, must be so in favour of the public. As for private traders being driven out of the market, that he did not think probable; for it was well known that large companies always conducted their concerns in a much

less prudent manner, and with far less attention to their interests, than individuals. There could therefore be no harm in repealing this obsolete act of parliament, while its existence only tended to create confusion, in consequence of individuals not knowing what they might, according to law, do or not do. With regard to incorporated companies, experience had shown that the best mode of forming them was by charter from the crown. They might be incorporated by act of parliament, but if their lordships considered the difference in the nature of the proceedings in those two modes, he was sure they would agree with him, that the less parliament interfered in this subject the better. Justice between individuals was more efficiently secured when the charter was granted by the crown, and it was therefore thought advisable to discourage applications for acts of parliament, and to encourage the other course. But hitherto a qualified charter could not be given, however desirable it might be to impose certain limitations on the powers of incorporated companies. Their lordships must see how important it was that this state of things should be altered. It was therefore an object of the present bill to authorize the granting of charters with restrictions.

The *Lord Chancellor* stated, that the principle of the present bill was to repeal the act of 6 Geo. I., and to leave the parties to whom it was intended to apply to the operation of the common law. It did not destroy the power of the crown to grant any charters, but it enlarged that power to the granting of qualified charters. As it

repealed

repealed the statute of Geo. I., and as that statute was supposed only to stand in the way of associations such as the public had lately seen attempted, he thought it better that a clause should be introduced into the bill declaring that the common law remained unaltered and untouched. The common law, which would thus be enforced, was in his opinion equal to every thing contemplated in the statute.

The *Earl of Liverpool* objected to the proposed clause, as it might render it necessary in all future acts to state, not only the laws repealed, but the laws which remained in force after the repeal of a special statute.

The *Lord Chancellor* did not wish the statute book loaded with unnecessary enactments, but as there had been so much misapprehension on this subject, he still thought that his proposed clause should be admitted.

The *Earl of Lauderdale* concurred in this opinion. It should be understood by the public, that by entering into associations like those forbidden by the law of George I., parties exposed themselves to the operations of the common law.

The *Marquis of Lansdown* made a few observations in favour of the bill, but expressive of his apprehension from the effect of too liberal a grant of charters, should the crown, without examination or proper discretion, exercise the right of granting them.

The bill was read a second time.

House of Commons, June 28.—*Lord John Russell*, seeing the right hon. secretary for foreign affairs in his place, wished to ask a question on a subject of great

importance. He hoped the right hon. gentleman's reply would comprise such general information as he might have it in his power to communicate upon the point. The noble lord then added, that he wanted to know what progress had been made by that commission which had been established for the settlement of claims by British subjects on the Spanish government? Perhaps the right hon. gentleman would state, in his reply, what was the amount of the claims which had been brought before the commissioners; and what was the amount of claims which the commissioners nominated on the part of Spain had acceded to.

Mr. Canning in reply said, the amount of claims which had up to this time been brought forward, was, he believed, about 2,000,000*l.* but he by no means meant to pledge himself that that would be the whole amount to be brought forward. What had been the proportion of them that was allowed, it was not in his power to inform the noble lord. He did not mean to deny that every possible impediment had been thrown in the way of the commission, by conduct on the part of Spain which he could not describe as very becoming; namely, by the constant changing of the commissioners in behalf of the Spanish captors. On the part of the British government, every desire had been felt to make all possible progress in the objects of the commission with the least possible delay. It was proper to add, that unfortunately, even in respect of what adjustments it had effected, money, the most essential result of all, was still not forthcoming. There was this difficulty in the present in-

stance. The commission was established in virtue of a certain convention that was entered into after some negotiation. That convention grew out of a threat of force on our part. Where force was absolutely used, there there was something to quicken the progress of an investigation like this. But this convention grew out, and was the consequence, of orders that were despatched for the seizure of Spanish property, in consequence of the negation of the British claims on Spain. When it was recollected what the condition of Spain now was, it might be inferred that it was extremely difficult to obtain the settlement of any of those claims. The noble lord and the house might rest satisfied, that on the part of the British government no energy would be left unexerted to procure a speedy adjustment of these claims on the one hand, and to effect any reasonable compromise on the other.

The house went into a committee upon the conduct of Mr. Kenrick. *Mr. Denman* addressed the house at some length, and concluded by submitting the following proposition:—

“That this committee is of opinion, that the allegations contained in the petition of *Martin Money Canfor* have been substantially proved.

“That the said petitioner preferred his complaint to *William Kenrick, Esq.*, one of the magistrates for the county of Surrey, relative to the loss of a ram, and required a search-warrant, to recover the ram as well as its fleece, both of which were in the possession of *William Beale*, the brother of the said *William Ken-*

rick's bailiff, but that the said *William Kenrick* refused to grant a search-warrant, or to take the depositions of the petitioner.

“That the said *William Kenrick*, in this respect, appears to have neglected his duty as a magistrate, in not inquiring into facts of a suspicious character; and that his subsequent conduct, in causing the said petitioner to be arrested, and commanding and ordering him to be searched, was illegal, arbitrary, and oppressive, and a gross abuse of his authority as a magistrate.”

The first resolution having been read, *Mr. Peel* replied, and concluded by moving—“That this committee, after hearing the evidence brought in support of the allegations of *Mr. Canfor's* petition, and the counsel for *Mr. Kenrick*, do not think it expedient to recommend any further proceeding in reference to that petition.”

Mr. Canning supported the amendment, and *Mr. Tiarney* and *Mr. Holmes Sumner* opposed it; but after a few observations from several members, the amendment was carried without a division.—Adjourned at a quarter to two o'clock.

House of Lords, July 1.—The *Earl of Liverpool* rose to call the attention of their lordships to the state of the jurisdiction of the house with regard to appeals. In consequence of the immense arrears of appeals which had accumulated, their lordships found themselves, a few sessions ago, called upon to consider whether some means could not be devised for facilitating the administration of justice. A committee was appointed to consider the subject, and that committee made a report

in the session before last. What the state of things then was, would be seen by reference to the first paragraph of the report. It appeared that the number of appeals and writs of error then existing in arrear was 225, out of which 150 appeals were from Scotland. This number, in consequence of the accumulation which was to be expected in the course of each succeeding session, rendered it probable that the house in the ordinary course of its proceedings would not be able to dispose of the appeals in arrear in a less period than five years. With respect to appeals, the committee found that those from Scotland were not only the most numerous, but that they were of the description which occupied the greatest portion of the time of the house. The question of arrear was the difficulty which their lordships had to encounter; for if the arrears could be got rid of, it would be easy to decide future appeals in the ordinary course. To facilitate the decision of cases from Scotland, an endeavour had been made by a change in the legal proceedings to separate questions of law from questions of fact. This measure, the effect of which must be very advantageous, was just coming into operation; so that their lordships might be confident, if they once got rid of the arrear, that they could go on prospectively without any difficulty. The report of the committee contained a number of valuable suggestions. Among other things it was recommended, that a certain number of their lordships should attend daily from nine o'clock to five, for the purpose of hearing appeals. Objection had been made to compul-

sory attendance; but this course was finally adopted, and their lordships had had the advantage of the able assistance of a noble and learned lord (Gifford), who had devoted much of his attention to proceedings in appeal, and in particular to the law of Scotland, on which it was so often necessary to decide. The beneficial effects of this arrangement were soon felt on its coming into operation in the course of last year. At the commencement of last session the number of appeals was 282, and of writs of error 74, making altogether 356. During the session, 186 of these appeals were gone through, above 40 of them having been struck off; so that at the end of the session there remained only 170 undisposed of. But their lordships had to look, not only to the number of appeals they decided, but to the number of new ones which were brought forward in a session. The number which had come in on the commencement of this session was 52. The number of appeals then standing was 201, and of writs of error 28, making only 229, instead of 356, as at the beginning of the preceding session. Of this number, 229, their lordships had already disposed of 126; so that there remained only 103 undecided; if their lordships proceeded in this manner, by the end of next session there would be left only 26 or 27 appeals undecided; but whether that number, or 30, or a few more or less, it was evident that by going on they would completely conquer the difficulty which once appeared insurmountable, and that this would be done independently of the improvement of the law of Scotland, which would

would render less probable so great an accumulation of appeals from that country in future. It had been said, however, that this arrangement would only give occasion to more appeals being brought. He did not think so. If their lordships once showed that they were capable of promptly discharging all the judicial business which came before them—if no delay was expected, so many appeals would not come before them. The decrease of appeals during the two last sessions fortified him in his opinion. In 1823, the number brought was 59. In 1824, the number was 39, and in the present session of 1825, only 29. He now proposed, that of the five days of every week, which a part of their lordships sat to hear appeals, one day should be appropriated to the hearing of those which should come in the course of the existing session. If this arrangement were commenced next year, it would probably have a considerable effect both in disposing of appeals, and in taking away the inducement to the bringing of them. The result of their lordships' decisions might also be stated. It appeared that out of 86 appeals brought during the session, 63 had been affirmed, 17 reversed, and 6 remitted. The arrangement, which had been adopted, his lordship said, had, generally speaking, given great satisfaction in Scotland; and after expressing his sense of the credit due to the committee for originating the plan; to the house for carrying it into effect; and to all persons who assisted in its execution; he concluded by moving for certain papers relating to the state of appeals, which were ordered.

The *Earl of Rosslyn* expressed his great satisfaction at the measure which had been adopted.

House of Commons, July 1.—Colonel *Lushington* presented a petition from several officers of considerable rank in the East Indian army, interested in the distribution of the Deccan prize-money, and signed by Sir John Malcolm, in favour of the appointment of the Duke of Wellington and Mr. Arbuthnot as trustees.

The *Chancellor of the Exchequer* was glad to hear the expressions of the petitioners. Never were men so severely treated as the trustees had been. They knew well what obloquy would attend the discharge of a duty so difficult. They were aware that the most extravagant expectations were entertained by both officers and men, as to the amount of the booty. They knew that the claims made were too exorbitant, comprising, as they did, two millions of money; and the expectation of being paid even for the public buildings and palaces. Any other men would have shrunk from such a responsibility. The Duke of Wellington had been advised to have nothing to do with it: but with a magnanimity not surprising in him, he considered that no man in the service could be better acquainted with that army, and the whole of the circumstances of the capture, and therefore no man was better qualified for the task than himself. And from first to last, since he had taken the subject into his hands, he had been met by nothing but obloquy and misrepresentation, reproaches and calumnies, the most unfounded and the least deserved.

Dr. Lushington, notwithstanding the

the warmth of tone and expression adopted by the right honourable gentleman, persisted in the assertion which he had made on a previous evening—that the behaviour of the Duke of Wellington and Mr. Arbuthnot, as trustees of that booty, had been most unprecedented. He was surprised at this new zeal of justification on behalf of that noble duke. And then the petition which his hon. and gallant relative had just presented—from whom did it come? From a part of Sir Thomas Hislop's army, which army had called upon him to make that representation which the petitioners, parties interested, now ventured to reprobate in their commander-in-chief. Did it not look as if this petition had been got up in consequence of what took place a few nights ago, with a view to giving the right hon. gentleman an opportunity to make that extraordinary defence of the duke? What was the information upon which these petitioners proceeded in reprobating their commander-in-chief? Did they know any thing of the difficulties which impeded the final adjustment and distribution of the Deccan prize-money? If they did, how came it that they had not imparted any of that information which was so desirable for the case? Would his gallant relative undertake to say, that until signing this petition, Sir John Malcolm had ever been heard of in the transactions? He repeated what he had formerly said, that the trustees had conducted themselves in a most unprecedented manner; and that if they did not alter their determination, and put themselves in communication with the *cestui que trust*, the

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greatest injustice would be done to the whole body of the captors.

Sir H. Hardinge complained of the mis-statements and calumnies of an anonymous pamphlet published against the Duke of Wellington. The fact was, that until 1823 the trustees had nothing to say to the distribution of the prize-money. Since then, Sir Thomas Hislop had been required to give in a list of the claimants, which was not delivered till the 5th of June. So far the fault of the delay was attributable to Sir Thomas Hislop. The fact was, that both the Duke of Wellington and Mr. Arbuthnot had laboured indefatigably in the business on behalf of the soldiery and officers of that army, for which no man could have a higher regard than himself. He was sorry that he was not in the house on a previous evening, when the hon. member for Montrose presented a petition upon the subject, and the hon. and learned civilian opposite took occasion to say that a certain written answer given by the Duke of Wellington was impudent and insolent in the highest degree. Why, to be sure it was easy for gentlemen in their places to give utterance to expressions with respect to others who were of too high dignity to notice them, which they would not venture to use to the members of this house, or at any rate could not use them without incurring the responsibility of a sharp reply. He did not wish to curtail the liberty of speech which any member might think proper to claim for himself; but it really was difficult for any friend of that noble person to listen to such language without retorting his own words upon

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upon the member who would venture so to use it.

Lord Folkestone spoke to order, in negligence of which the gallant officer had taken upon himself to refer to a speech made upon a former evening by his hon. and learned friend, although he had not heard it, and was, as he verily believed, proceeding upon a statement of it by no means correct.

Sir H. Hardinge contended for his right in meeting the assertions made by the hon. and learned gentleman.

The Speaker spoke to order.

Mr. Canning thought that the situation of his gallant friend was particularly hard. He had risen to defend a noble friend of his from an attack which had been made in his absence, upon a petition, of the presenting of which no regular notice had been given, and he was met by the forms of the house. Had his gallant friend possessed a little more of parliamentary tactics, he might have effected all that he wanted without interruption. He might have said, "I have read somewhere that expressions were used by somebody towards the Duke of Wellington," and he might have gone on to make his comments at pleasure.

Sir H. Hardinge thanked his right hon. friend. It did certainly appear to him, that as the practice of the house in allowing the discussions to go abroad in newspapers, had caused the circulation of the calumnies, so he ought to have, as fair an opportunity for answering them. He denied, then, on the part of Mr. Arbuthnot, that there ever was a design of appointing his son, who was a minor, in his place. The statement was

false and calumnious. Mr. Arbuthnot's youngest son was 26 years of age. He had taken the opinion of the law-officers upon the right of appointing his son an agent, and he was informed that there would be nothing illegal in it. Such a system of clamour and calumny excited against men engaged in a business so arduous was highly to be deprecated. The soldiers had been taught to expect most unaccountable heaps of wealth. They actually looked to be paid, as it appeared by the abominable pamphlet which he held in his hand, for the public buildings and palaces of Deccan. As well might the Waterloo army expect to be paid for the Tuilleries; or those of the Peninsula to be paid for the palaces of Lisbon and Madrid.

Mr. Hume could not see what reason there was in the petition for the warmth and agitation which had taken place. It was not delivered entirely without notice, as the right hon. secretary for foreign affairs was pleased to assert. No notice could be given to the Duke of Wellington and Mr. Arbuthnot; but the chancellor of the exchequer was sufficiently forewarned, as being the properest person to receive that information. He must contend still for his opinion, that the trustees had misconducted themselves in their refusal to give information, though they were ready to receive it, and in their other refusal to communicate with those who were the most deeply interested. He wondered at the exaggerations which were attributed to the petition. In what part of it did the petitioners lay claim to the price of public buildings,

ings, or to the share of any sum like two millions of money? On the contrary, their petition expressly set forth, that they had learned that there was a sum amounting to 700,000*l.* distributable among the claimants to the booty. All they asked was information. The trustees most unwarrantably refused it, and they came to the house for a remedy.

Sir H. Hardinge said, that the Duke of Wellington never had refused information; on the contrary, he had informed *Sir Thomas Hislop* that the papers were at his service to inspect them at the office, he or any of his staff; but he would not let them be shown to attorneys and solicitors.

Mr. S. Rice felt convinced, that if his hon. and gallant friend had heard the expressions of his hon. and learned friend, he would see the impropriety of expostulating with any member for expressions attributed to him by the reports of newspapers.

Sir H. Hardinge said, that the discussions of the house were circulated by a custom which the house allowed to exist. Both of the expressions which he had ascribed to the hon. and learned gentleman had been inserted in these reports, and spread round the country. It would better behove any hon. member not to find fault with the reporters, who only printed the words, if he intended to pass by the member who used them, especially as no expression of regret or retracting had been evinced.

The Speaker again interposed. —The hon. and gallant member was proceeding in the most disorderly of all courses which could be adopted. In the first place, it

was contrary to order to refer to expressions used in a former debate in any case. In the second place, to refer to representations of a former debate, which could not be circulated without the intervention of practices in themselves disorderly, was still less to be tolerated; but it was more disorderly still to call on any member openly for explanation upon the contents of reports obtained by a breach of order.

Sir H. Hardinge admitted that he might have been out of order; but intimated some expectation that the honourable and learned gentleman would qualify or retract some parts of his former speech.

Mr. Brougham was surprised at the method taken to obtain explanation by the hon. and gallant member, who had not condescended to ask a single question in private, as in prudence and courtesy bound; but came down with a newspaper report hot upon another hon. member, and never inquiring "did you or did you not use these expressions?" publicly demanded explanation. The hon. and gallant member was not justified in thus venting his feelings unconditionally. His plan seemed to be to punish or strike, and then to hear.

Sir H. Hardinge said something which was supposed to imply a request that the words might be retracted by the honourable and learned gentleman.

Mr. Brougham resumed. —Then he did complain loudly of the conduct of the hon. and gallant member. Good God! Was he or any other man to come down and let out his fury on any gentleman who might be suspected merely by

him of speaking disrespectfully of the Duke of Wellington, because he was a friend of that nobleman, without one preliminary inquiry, and in a way which must of necessity preclude the chance of explanation? What man of spirit would stoop to explain, even if he were conscious that the imputations were wrong, under those circumstances? Suppose he were to have a similar grudge against the hon. and gallant officer, or any other gentleman, and were to begin his expostulation thus—"You infamous fellow, you have here said that which is calumnious of my friend." (*Symptoms of dissent from Sir Henry Hardinge, and the Chancellor of the Exchequer.*) He did not impute those expressions or any directly like them to the gallant officer: but in asking for explanation, there was a way of doing it which might lead to explanation: there was another way which totally precluded it. He must tell the hon. and gallant gentleman that neither the high station of the Duke of Wellington, nor the interest the country held in him, nor the vehemence used in defending him by any member in that house, could ever deter either himself or others from expressing their opinions frankly upon their public conduct. The Duke of Wellington and Mr. Arbuthnot might be very amiable characters in private; but they were in this case public men, clothed with a public trust, and there was public money concerned in that trust; and as honest stewards to the public, he and every one in that house was bound to scrutinize the duke's conduct. He proceeded to express his opinion upon this much of that conduct. He had

been consulted professionally by the attornies appointed by those who were interested in the booty. Mr. Arbuthnot's son might be of age now; but was he not a minor at the time of the appointment before alluded to? ("No, no.") Be that fact as it might, he had given his opinion to the claimants that the appointment of young Arbuthnot to be the agent would have been illegal; and that by the provisions of the prize act, a penalty of 500*l.* would have been incurred by every single transaction of his in that appointment. And then, what followed? The gentlemen opposite talked of attack. There was an attack, indeed, made upon the legal advisers of Sir T. Hislop—an attack which was so utterly gross that it could only be extenuated, it could not be justified by the profound ignorance of the law evinced by the trustees. They offered to show Sir Thomas Hislop, Major and Colonel Wood, the documents on condition that they did not shew them to the lawyers! And the ground of this prohibition was still more offensive—"because there was too great a disposition in certain quarters to entertain law proceedings." Now the love of lawyers for litigation was a vulgar, gross, and every-day charge made against lawyers. And the right hon. gentleman, perhaps, in this particular, wished to be counted among the gross and vulgar crowd out of doors. At any rate, it was a stale charge, it was as old as the hills, and of itself a continual source of merriment to the profession. It was, however, utterly groundless. Four out of every five opinions given by lawyers were against the case submitted to them. He himself frequently told clients that they

they had no case, to keep them out of court, though in principle they might have a very good case, but not one which would repay the expense and trouble of a suit. But now who were these lawyers, did the house suppose? He admitted, that for himself and his learned friend near him (Dr. Lushington,) nothing could be said: they were lawyers without redemption. But Dr. Jenner was joined with them in their opinion—a man as little of a Whig as any gentleman opposite—a very worthy lawyer, with an excellent Tory spirit. Next was Sir W. Adams, a king's counsel—a man of no violent politics, scarcely any politics at all, and a friend to the Duke of Wellington. Then who else was there? Oh! what if a judge was among them? What if Lord Wellington, as a cabinet minister, had since joined in recommending this person to the crown as a fit associate among the twelve judges of the land. Mr. Gaselee had joined them in their opinion. Then there was Mr. William Harrison, the known familiar of the treasury—who, “most unkindest act of all,” turned upon them. Really, people who talked of attacks unjustifiable, and so forth, ought to have in remembrance the old adage of the danger of persons who live in certain houses, throwing stones. For this very nobleman, who seemed to be so very touchy by representation, and who had been so touchily defended by the gallant officer, did not scruple to make this unjustifiable attack upon the profession and character of the respectable lawyers whom he had named. He was only stating what his duty compelled him to state; and undoubtedly, on the

other hand, the lawyers ought not to have been attacked in the way they had been. He could only add that he had heard this pamphlet called a libel. If it was a libel, the courts of law were open to the parties; they were open to the individual complained of as well as to the duke. An action at law would bring to light the whole of the matter. The party's guilt or innocence of the charge would then be established. If guilt was not proved, no apology would be due—if guilt could be proved, the parties on whose behalf the hon. and gallant general had spoken would become the clients of his hon. and learned friend the attorney-general; and the other parties would be represented by other hon. and learned friends whom he knew in this house. And this course of proceeding, he begged to say, would be much better and more decent than talking in big words there.

Sir H. Hardinge and *Mr. Brougham* mutually explained.

Mr. Peel really thought there existed some great misapprehension on this matter. He had certainly heard his hon. and gallant friend speaking with great warmth and animation; but certainly he had not heard him utter any expression that could be justly considered offensive to the hon. and learned gentleman. He did think that his hon. and gallant friend was mistaken, in the first instance, in attributing the language alluded to the hon. and learned gentleman; but he must say that he thought he had heard that learned gentleman use very extraordinary language. The last declaration made by the gallant officer, that he was not aware there

there would be a petition presented to-night, and that there would be any opportunity of entering into such a discussion, must immediately establish to everybody's satisfaction, that whatever his hon. and gallant friend had said was said without premeditation. But this fact was still further made out, by the consideration that if he had uttered any thing which could really and justly be considered by the house as offensive, the speaker would necessarily have directly interposed to order. Now the chair had not so interposed, excepting only on that part of the speech where his hon. and gallant friend had referred to what had passed at a former parliamentary debate, which reference was declared to be irregular. For his own part, he (Mr. Peel) could say that he had not even seen the pamphlet referred to, and so he could not speak to the passages that had been called in question; but two individuals of higher character, of finer honour, or more disinterested application to the duties of office, than the Duke of Wellington and Mr. Arbuthnot, it would have been impossible to select for the difficult and responsible discharge of this trusteeship. And when he considered the great portion of time and attention which the noble duke must devote, apart from his other public occupations, to this arduous question, he must be permitted to say that such reflections as those which had been thrown out against him were a bad return for all the readiness with which he had accepted the execution of this duty.

Mr. Canning had been endeavouring to bring to his recollection as distinctly as possible what were

the expressions which had fallen from the hon. and learned gentleman on a former night, and had been this evening commented on by his hon. and gallant friend behind him. He could not, however, recollect with certainty much of what the hon. and learned gentleman on that occasion said, but in regard to the application which had been made by his hon. and gallant friend of the word "insult" or "insolence," it appeared to him (*Mr. Canning*) that the word, if used, was meant to apply, not to any individual, but to that letter of which so much had been said, and that passage in it wherein it now appeared a clerical error had been committed. To the passage as it stood there, he understood the hon. and learned gentleman to have applied the epithet "insolent," or the substantive "insolence." It was printed "the said William Harrison," instead of "the said Mr. William Harrison;" but in the original manuscript letter, it seemed, the word "Mr." was inserted. Having stated this fact, which appeared to obviate the objections that had arisen out of in fact a misprint, he must add, that he perfectly concurred with his right hon. friend in thinking, that it was no part of the hon. and learned gentleman's duty to get up in that house to reply to any thing of this kind appearing in such a quarter. Perhaps the same objection did not apply to an explanation on his part.

Dr. Lushington, after what had been said by the hon. gentleman, would rather part with his existence than submit to the degradation of explaining. He could not think of explaining a single expression

pression that he had uttered ; for not only had the words he had used on a former night been commented on by the hon. and gallant member for Durham, but commented on in this way, while that hon. member had in his own hands the very original manuscript of the letter in question which contained upon the face of it the explanation of what he (Dr. Lushington) had said on that former occasion. Knowing that he (Dr. Lushington) had commented upon that which now turned out to be, in point of fact, a misprint from the original, the hon. and gallant member seemed to think himself justified in coming down there and expressing the strongest reprobation of a conduct occasioned by that error which he himself at the same time pointed out to the house's observation. He (Dr. Lushington) should have betrayed his duty as a member of parliament—he should have been destitute of the courage of a man—he should have been utterly unworthy to sit in that house for a single moment, if he condescended to enter into one sentence of explanation. Irritated for a moment he certainly might have been ; intimidated he never could be ; and if he could think it worth while to explain to any individual, he undoubtedly would not do so on this occasion. Now, as to what the hon. member for Durham had said in describing the language used by him (Dr. Lushington) on a former night ; to the best of his recollection the hon. and gallant gentleman had stated it quite accurately, except as to one word. The word “insolence” had never passed his lips ; he should have considered it, under any circum-

stances, a very unbecoming and improper term to employ ; he should have thought it indecent. But, knowing that the paper was signed by Mr. Harrison, who was a learned and eminent counsel, the law adviser of the treasury, and the brother of a secretary of a board at which Mr. Arbuthnot sat, he might possibly have characterized the letter as an insulting letter. The house could not call upon him to say more, than that he had been, therefore, mistaken upon a matter which any individual would have been mistaken about who had not seen the original manuscript. He wished to remark, before he sat down, that it was a mistake to suppose that he had been counsel for Sir Thos. Hislop. He had been counsel in this case for the Marquis of Hastings ; and all those feelings and passions which could be supposed to have been excited in him as a lawyer and an advocate were in favour of the Marquis of Hastings, and against Sir T. Hislop ; but he thought it but just to Sir Thomas Hislop to notice the question in the way he had done ; and under the impression upon which he had acted, he had done what he conceived to be his duty.

Sir Henry Hardinge begged to repeat, that the particular word which he complained of he thought to be a very improper one ; and if it had been employed, as he conceived it had been by the honourable and learned gentleman, he still thought it very improper.

Lord J. Russell in this letter observed, that the Duke of Wellington and Mr. Arbuthnot said, “they had observed throughout

the consideration of this question a strong desire on the part of some to go to law. Now, certainly, if this expression was meant to apply to the lawyers who had been retained in the case, it was an offensive one. It was, in that event, as much offensive as it would be to say that the Duke of Wellington, being a great captain himself, was for our going to war; the inference being that war would be profitable to him. But the other part of this letter seemed to show that no such reflection was intended; and that the passage applied not to the lawyers, but to those who employed them; for it imported "that there was to be no reference to counsel or attorneys, except on points previously referred to their decision."

Mr. Brougham was much obliged to his noble friend for taking the trouble to give this explanation to the house; but he could assure him the words would not bear any such construction. This prohibition to refer to the counsel and attorneys, though accompanied by such an exception, was of a dangerous nature. There were some seven of them in all; and he must say that he wondered at such a regulation levelled by two members of the government against men, among whom was a gentleman whom he had the pleasure of knowing very well—a most eminent and respectable solicitor, the founder of the Pitt club. Now, to be sure this club, calling itself after Mr. Pitt, did in fact reject all the old Pittites; and under a peculiar sort of notion of the matter, admitted none but those whose principles were really contrary to the principles of Mr. Pitt. Still this gen-

tleman was the oldest member of the Pitt club; and to him no imputation like that thrown out in the letter could apply; for, not to mention that in a business so extensive as his was, a single additional cause would be mere moonshine, it did so happen that in this case of the Deccan prize-money it would be more lucrative to him not to go to law at all, but to have the undisturbed management of his clients' interests in the distribution.

Sir R. Fergusson must say that his hon. and gallant friend had used some language on this occasion which he (*Sir R. Fergusson*) could not feel to be proper. Whatever his hon. and gallant friend might think of the letter, there was a great difference in point of the notion conveyed to men's minds between the phrase of "the said W. Harrison," and "the said Mr. W. Harrison." That the hon. and gallant gentleman, conceiving that a friend of his—and such a friend, too, as the Duke of Wellington—had been spoken of disrespectfully, should be betrayed into some degree of warmth, was perfectly natural; but now that he perceived the hon. and learned gentleman (*Dr. Lushington*) had spoken upon a former night in reference to the phrase in print, which was this day proved, however, to be incorrectly printed, he (*Sir R. Fergusson*) did trust the hon. and gallant member would be prevailed on to express his regret for any excess of warmth that he might have been led into. In giving this advice, he begged to assure the hon. and gallant gentleman, that he never could advise an hon. friend like himself, and more especially one who be-

longed

longed to the same service with himself, to any course of proceeding that might in the slightest degree be derogatory to his character. On the contrary, he was now suggesting exactly what he would suggest, under similar circumstances, to his own brother.

Sir H. Hardinge declared, that really if any hon. gentleman would undertake to point out to him a single unparliamentary expression that he had employed, he would not hesitate a moment to retract it, and express even his regret for it. Whether, however, the Duke of Wellington, in this letter, had made use of the words "William Harrison," or "Mr. William Harrison," it could afford no justification of the term "insolent," as applied to that letter. That was a word, as he apprehended, altogether indefensible.

The *Speaker* said, that he rose with the double purpose of bearing his testimony, to the best of his recollection, as to what had really been said; and at the same time of apologizing to the house for the great omission of which he had been guilty, if he was wrong in supposing that nothing unparliamentary had fallen from the hon. and gallant officer. Now his impression was to that effect; and had it been different, he (the speaker) would have been unpardonable for neglecting to interrupt the hon. member at the time. The hon. member had just expressed his entire willingness to retract any thing unparliamentary that might have fallen from him; and by so doing he had done himself the highest honour, and no more than justice to the house, as well as to himself (the speaker), if he might be permitted to say so,

because he then intimated a belief that the speaker would have apprized the house of any disorderly observations had he been conscious of them.

Mr. Peel submitted that the unconsciousness of any hon. gentleman that he was giving offence by any observations was a sufficient apology in respect of those observations.

Dr. Lushington hoped that he was the last man in the house to take offence unreasonably at any observations made there. As he understood the hon. and gallant officer, the epithet "insolent," which had been called in question, had been retorted by him on his (Dr. Lushington's) conduct; and that, he did think, was going a little too far on the part of any hon. member. If the hon. and gallant officer, however, would acknowledge that he had not intended any offence to him (Dr. Lushington) beyond retorting an expression upon him, if he had used it, and which he (Dr. Lushington) now disclaimed having used; and if the hon. and gallant gentleman was therefore content to retract such epithet as applied to him, he (Dr. Lushington) should feel perfectly satisfied.

Sir H. Hardinge assented to this understanding.

Mr. Canning moved that this house, at its rising, do adjourn until Tuesday next.—Agreed to.

Mr. Brougham wished to asked the right hon. gentleman opposite (Mr. Canning) a question upon a very important subject, which, however, he had abstained during the whole session from broaching, for no other reason except the great disinclination he had felt to abstract the attention of the government

vernment from any negotiations that might be going on between Great Britain and France, or France and Spain, respecting the abandonment of Spain by the French army. He had been fearful also, by any untimely inquiries, of doing possibly mischief to some most gallant and illustrious persons who were pining under confinement in that country (Spain), as noble victims who had endured every suffering, and the loss of every thing dearest on earth to man, save their honour, which alone came out of tribulation more pure and beautified than it was before its trial. The release of these individuals from their captivity would be the best act which our interference possibly could now effect; and would reflect the greatest credit upon, he would not say, but would be the easiest reparation to be made by, the wrong-doer.

Mr. Canning said, the hon. and learned gentleman might take it for granted that this was a matter to which the attention of government had been all along most anxiously directed, and which was of too grave importance to have escaped his most vigilant observation. He had received, as well from the government of Spain as that of France, the strongest assurances that not a single day would be lost in effecting the evacuation at the earliest possible period; and not the slightest opposition was manifested to the measure on the part of that army. He understood from the French government that France had at present a force of 22,000 men in Spain, which would be withdrawn about the month of April; and an extraordinary corps, distinct from

that force, of 10,000 men, which Spain (if we rightly gathered the right hon. gentleman's meaning) proposed to retain. Now he did firmly believe, that the hon. and learned gentleman could not be himself more anxious for the evacuation of Spain by the French army than the French government themselves were for that event. Individually, he (*Mr. Canning*) could honestly and conscientiously declare, that he was under no degree of doubt or apprehension about the conclusion of the negotiations relative to the withdrawing of the French troops confirming this statement.

Lord John Russell was sorry that the right honourable gentleman's statement was not more satisfactory. No less than three different times already had the term for effecting this evacuation been altered and extended.

Sir Robert Wilson was of opinion, that so long as any French troops remained in Spain, the Spanish government would never manifest either good faith or integrity.

Mr. A. Baring rose for the purpose of asking a question relating to a matter which he conceived to be of very considerable importance. A treaty between this country and one of the newly recognized states of South America had been laid on the table, and he had reason to believe, that if the state of the session permitted it, other treaties would have been submitted to their inspection. But it was a remarkable fact, that a most hon. person, an individual of the most deserving description, who had been regularly accredited from one of these states, had not been presented to his Majesty at the

recent levee. It was rumoured that this circumstance arose from the interference of certain foreign powers, who were anxious that the recognition of the South-American states should be of a mitigated description. Now he wished to know from the right honourable gentleman opposite (Mr. Peel) whether this omission was merely accidental, or whether it was, as rumour had stated, intentional. A treaty had been laid on the table; but it appeared that the minister of the country to which it related had not been received at court. He here begged leave to state, that he made this application without the slightest interference of the person to whom it related. He certainly was acquainted with Mr. Lempriere, but he had not seen him for some months. While he was on his legs, he wished to ask another question, which was of considerable interest as it affected the feelings of a most deserving and meritorious class of people—he meant those English officers who had entered into the military service of foreign states. The house must be aware that a regulation, founded on an act of parliament which passed a few years ago, still existed, which placed those individuals in a most extraordinary situation. Many of those officers, at the termination of the war, finding their “occupation gone,” and being actuated by a strong love for a military life, as well as by a powerful feeling in favour of those sentiments of liberty which they had imbibed in their native country, had embraced an honourable service amongst the troops of those countries that were strug-

gling for freedom, and were in consequence, by the provisions of the bill to which he had alluded, subject to very considerable injury and inconvenience. In making this observation, he did not mean to call in question the policy of the bill to which he had referred, because at the time when it passed, great jealousy existed with respect to the conduct of this country as to the establishment of those new states. Reproaches were cast upon this country by Spain and France in consequence of the part which a liberal policy induced it to pursue. It had been strongly stated, that the battle of independence, which was at that period fighting, and which had ultimately proved successful, had in a great measure been carried on by this country. This certainly was made a great matter of complaint, and though, abstractedly, he did not think that the law then enacted was strictly justifiable, still, looking to all the circumstances, and considering the time, he would not quarrel with the policy in which it originated. The bill, it should be observed, was not to enable the crown to recal officers from foreign service, but it gave to every paltry informer the right to call before a justice of the peace any officer who had taken a commission under a foreign state. If the power existed, as he believed it did, in the crown, to use its discretion in the recal or disqualification of officers, why should this additional power be suffered to exist? The law to which he referred imposed a degradation—imposed a very severe punishment on persons who might contravene its provisions; and yet there was not a gentleman who heard him, who must not view with

the highest respect the conduct of those individuals, and who must not esteem them, on account of the noble motives by which they were actuated. It was quite clear that the bill had been introduced, not from any personal motives, but on principles of public policy. The state of things which had given rise to it having, however, passed away—England having recognized the independence of several of those states—it was, he conceived, proper that the law should be altered. Subjects of this country had, in periods of peace, held high commands in the French service. We had supplied admirals to Russia, and officers of various descriptions to Austria, Spain, and Portugal. In his opinion, it was of great importance to the military power of this country, that English officers should, in time of peace, be enabled to keep up their military knowledge by entering into the service of foreign states. He knew that, at the present moment, France was pursuing this system. That country was pushing her military officers into every possible kind of service. They were employed in Greece, in Turkey, in every situation where their abilities were likely to be matured. The French pursued this course, as he conceived, on the wisest and best of all policy. He had submitted these few observations, merely for the consideration of his Majesty's government, and he trusted they would remedy the evil to which he had called their attention. If they did not, he would in the next session (and he did not mention the matter in the way of threat) make a motion on the subject.

Mr. Peel said, he was extremely

sorry that the honourable gentleman had put his questions during the absence of his right hon. friend (*Mr. Canning*), who had left the house under the impression that he would not be again called for. He could not state the circumstances which had prevented *Mr. Lempriere* from having been presented to his Majesty, but he could assure the honourable gentleman that the course hitherto pursued by his Majesty's government was not, and would not be, in the slightest respect, altered by the interference of other powers. With respect to the other point to which the honourable gentleman had alluded he thought it was perfectly fair that his Majesty should have the power of preventing the enlistment of British officers in the service of foreign states, and he did not think that the right to punish them, which was given by the act referred to, was at all improper. It was quite clear that they had not suffered much under the law; for, he believed, experience proved that not a single instance had occurred where the power of laying an information had been acted on.

Mr. A. Baring wished to put another question to the right hon. gentleman. Early in the session he had made a suggestion, which appeared to accord, in a very great measure, with the general feeling of the house. It related to the necessity of making a proper provision for the chief, or head, of a very important department, on whose shoulders an immense labour was thrown. He alluded to the president of the board of trade (*Mr. Huskisson*.) He had not, he would here observe, had one word of conversation with that

right hon. gentleman on this subject. The suggestion originated entirely with himself. It was manifestly unjust to see that right hon. gentleman slaving, day after day, at the duties of an important office, without receiving any recompense. It really struck him as a matter of absolute injustice. No individual should be allowed to devote his labour to the service of the public, without receiving a just remuneration.

Mr. Peel said he certainly had not heard this question formally discussed, but undoubtedly the observations of the hon. gent. appeared to him to be exceedingly just. The remuneration of the president of the board of trade, whose duties were many and arduous, ought not to be given indirectly. He thought there could be no objection in placing that office, in performing the duties of which the individual sacrificed almost the whole of his time, on a different footing. Instead of that, however, the right hon. gent. was placed in another office (treasurer of the navy) to which a salary was attached. He was thus made responsible for an expenditure, to the items of which it was impossible that he could attend. They stood in this situation, that a gentleman performed the laborious duties of one office which was not paid at all; and he held another, the duties of which were imperfectly performed.

Sir R. Wilson understood the right hon. gent. to say, that the relations of this country with respect to the South American provinces, would not be influenced by any proceedings on the part of the other courts of Europe. But the right hon. gent. had not, as it ap-

peared to him, answered the principal question of his hon. friend (*Mr. Baring*)—whether the recognized minister of any of those states would not be received like the minister of any other independent power?

Mr. Peel said the hon. member asked whether any particular circumstances had prevented *Mr. Lempriere* from being presented to the levee, because he had heard a rumour that certain representations, on the part of some European governments, had induced this country to recognize a sort of mitigated, not a positive, state of independence in the South American provinces. That question he had distinctly answered. He had denied that there was any intention on the part of England to allow any foreign power to interfere with the regulations which she had established with those states.

Mr. Hume observed, that a reduction of taxation, coupled with the liberal policy which the government appeared willing to adopt, would tend greatly to the happiness and prosperity of the nation.

House of Lords, June 30.—*The Earl of Liverpool* moved the second reading of the customs' consolidation bill, one of the measures for carrying into effect the new commercial regulations. It was not his wish to trouble their lordships at any length on the subject of this bill; but the measure was so important, that he considered himself called upon to say a few words in explanation of it. The main principle on which the measure was founded was the doing away with prohibitory duties, and introducing certain regulations. There were, however, some exceptions: as, for instance, the bill

did not interfere with the corn laws, nor with cattle now prohibited. He hoped, however, that this part of the subject would be brought, at another opportunity, under the consideration of parliament, as French cows were introduced under the name of Alderney cows, and this fraud was accomplished by means of the grossest perjury on both sides of the water. A considerable change had been made with respect to the silk trade, the prohibition being removed, and a protecting duty of 30 per cent. substituted. In mentioning cotton, he reminded their lordships of the remarkable circumstance that the British manufacturer could undersell the natives of India in their own market, though the price of labour was here 2s. 6d. a day, and in India only 2d. On paper the duty was also reduced. He should next direct their lordships' attention to the duty on woollens. Hitherto the import duty had amounted to 65 per cent., but this measure proposed to allow importation with a protecting duty of 15 per cent. It was necessary to act on liberal principles of commerce, if we expected other countries to adopt a system of liberality in their intercourse with us. Upon this view the whole of these regulations of reductions were founded. But he now came to one branch in which the reduction was more considerable than any he had yet mentioned. He meant the great branch of metallic articles. The first he should mention was iron, in which the reduction was from 6l. 10s. to 1l. 10s. per ton. This important alteration was likely to prove highly advantageous to our manufacturers at the present moment; for such was the demand for iron

at Birmingham, that the manufacturers had for some time been unable to make all the articles ordered. In the article of copper, the reduction was from 2l. 14s. to 1l. 7s. He came next to lead, an article which could well bear a regulation of the nature which had been applied to the others he had enumerated; for the price of lead, which during the last ten years had been not more than 19l. 10s. per ton., had within a few months risen to 30l. per ton. The reduction proposed on this article was from 1l. 16s. to 1l. Without further troubling their lordships with details, he would say, that the reduction of the duties on manufactured articles was from 50 to 20 per cent., and on unmanufactured articles from 20 to 10 per cent. It was probable that this system of regulations would make other countries adopt a similar course of policy. To do so, a just sense of their own interest would be a sufficient inducement; but it was proposed to lay an additional duty of 5 per cent. on imports from all countries the governments of which did not allow trade to be carried on with them on equal terms. He thought their lordships would agree with him in thinking that the regulations he had described went as far as it was at present proper to go. In the distressed situation in which our manufacturers were some years ago placed, it would have been improper to attempt such a change; but the time for carrying into practice a liberal system of commerce had at length arrived. The principle acted upon, he again repeated, was the doing away with prohibitions; and he concluded by moving the second reading of the bill.

The Marquis of Lansdown concurred with the noble earl in every word he had stated, and expressed his approbation of the regulations. He regarded the measures before their lordships as forming a very great and a very salutary revolution in the trade of the country.

House of Lords, July 6.—The House met at three o'clock, when the commissioners appointed by his Majesty for the prorogation of parliament took their seats in front of the throne. They consisted of the *Lord Chancellor*, and the *Earls of Shaftesbury, Harrowby, Westmoreland, and Liverpool*.

The deputy usher of the black rod was ordered to summon the Commons.

In a few minutes the *Speaker* appeared at the bar, accompanied by fifty or sixty members.

The commission having been read, the royal assent was given to the surplus of grants bill, the combination laws' amendment bill, the Scotch partnerships bill, the church rates in Ireland bill, the apothecaries bill, the Selsea forest enclosure bill, the western ship canal bill, the Sidmouth harbour bill, the Bristol town dues bill, and the marine insurance company bill.

The *Lord Chancellor* then read the following speech:—

My Lords and Gentlemen,

"The business of the session being now brought to a conclusion, we are commanded by his Majesty to express the great satisfaction which he feels in releasing you from your laborious attendance in parliament.

"His Majesty returns you his warmest acknowledgments for the zeal and assiduity with which you have prosecuted the inquiries into

the state of Ireland, which he recommended to you at the opening of the session.

"It is a particular gratification to his Majesty, that the tranquillity and improved condition of that part of the United Kingdom have rendered the extraordinary powers with which you had invested his Majesty no longer necessary for the public safety.

"His Majesty is happy to be able to announce to you, that he receives from all foreign powers the strongest assurances of their friendly disposition towards this country, and of their desire to maintain the general peace.

"While his Majesty regrets the continuance of the war in the East Indies with the Burmese government, he trusts that the gallant exertions of the British and native forces employed in operations in the enemy's territory may lead to a speedy and satisfactory termination of the contest.

Gentlemen of the House of Commons,

"We have it in command from his Majesty to thank you for the supplies which you have granted to him for the service of the present year, and at the same time to express the satisfaction which he derives from the reduction you have found it practicable to make in the burdens of his people.

My Lords and Gentlemen,

"His Majesty has commanded us to assure you, that he is highly sensible of the advantages which must result from the measures you have adopted in the course of this session, for extending the commerce of his subjects by the removal of unnecessary and inconvenient restrictions, and from the beneficial relaxations which you have

have deemed it expedient to introduce into the colonial system of this country.

"These measures, his Majesty is persuaded, will evince to his subjects in those distant possessions, the solicitude with which parliament watches over their welfare: they tend to cement and consolidate the interests of the colonies with those of the mother country, and his Majesty confidently trusts that they will contribute to promote that general and increasing prosperity, on which his Majesty had the happiness of congratulating you on the opening of the present session, and which, by the blessing of Providence, continues to pervade every part of his kingdom."

The *Lord Chancellor* then signified his Majesty's royal will and pleasure, that the present parliament be prorogued to Thursday, the 25th day of August next, to be then and there holden; to which day it was prorogued accordingly.

House of Commons, July 6.—

At three o'clock the *Speaker* entered the house, and in a few minutes afterwards, having taken the chair, the deputy usher of the black rod was admitted: he acquainted the house that the lords, authorized by royal commission to give his Majesty's assent to several bills, and also to prorogue, in his Majesty's name, the present parliament, summoned the attendance of that house in the house of peers, to hear such royal assent read, and to witness the prorogation of parliament, in the usual form.

The *Speaker*, accompanied by the very few members who were present, then quitted the house; and after an absence of a short time, returned, with a copy of his Majesty's speech in his hand, which he read to the honourable gentlemen around the table.

The members then separated, and the *Speaker* quitted the house.

Parliament was afterwards further prorogued as usual.

CHAPTER VI.

State of the Country, external and internal.—Agriculture, Manufactures, Commerce, &c.—Ireland.—Colonies.

THE space occupied by the report of a parliamentary session of uncommon interest, has left us a very little room for this chapter; but parliament is the great mirror in which the state of the nation is reflected.

In this commercial country, the year 1825 will long be remembered for high commercial prosperity at its commencement, and panic and stagnation at its close; joint stock companies, over-trading, and the system of country banks, united to cause an unlooked for explosion. Much was done in relief. The Bank of England gave rational and efficient assistance wherever it was practicable. Gold was sent off to the country in every direction. Ministers came forward to lend aid to the public; and the precious metal being under the mint price, enabled every press to be set at work. Gold was coined at the rate of 100,000 sovereigns a day. The evil began from no cause but panic, occasioned by the depression of the funds, from the sums sold out to meet the demands of joint-stock companies, joined to the want of confidence from the display of the numerous bubbles in which losses were encountered. Thus the mischief began in London, where it seemed rapidly to subside, on the temporary nature

1825.

of the cause and the display of the resources possessed, and the means of support offered, being made known. In the country the case was very different: the distress of the industrious and poor enormous, and the evil incalculable. We may hope, however, that it will eventually be the means of putting commerce upon a surer and less speculative footing. The revenue has suffered in some degree from this stagnation.

The deficiency in the year on the gross amount is 238,940*l*. Much of this distress has been ascribed to the new principles of free trade; and some, as the glovers and silk weavers, have petitioned against it. But the fact is, that on the strength of the expected increase of the silk trade, in consequence of the duties being withdrawn from the raw material, individuals embarked a large capital, instantly, and made preparations for manufacturing quantities of silk goods. For these there is an inadequate demand—not from foreign silks taking the place of British manufactures, but because too much has been manufactured, and, instead of proceeding gradually with their trade, (having command of money) and waiting for an increase of demand, our manufacturers built factories, and set thousands of fresh hands at work

work to make a superabundant stock of all sorts of silk articles, for which a ready sale cannot reasonably be expected.

Patience will soon clear up all. That the country is prospering, may be evinced from the circumstance, that in the past year, the exports exceeded the imports by twenty-one millions.

Could all duties be dispensed with, the nation might rejoice in their extinction.—How much misery and vice is occasioned by the temptations to smuggling!

From the regular returns, it appears that the expense of the establishments for the prevention of smuggling, costs 1,533,708*l.* 4*s.* 10*d.* and the produce of all the seizures 282,541*l.* 8*s.* 5½*d.* So that the seizures are but little more than one-eighth of the expenses incurred in making them.

Among other benefits of this year, we must not forget the assimilation of English and Irish currency, and the annihilation of the colonial system.

In the colonies and dependencies, we find our empire in India, after combating so long the barbarous Burmese, has received the secession of five provinces, and conquered peace: Owing to the li-

beral government of the Marquis of Hastings, Indian finance was never in so flourishing a state. In 1823, the revenue amounted to 22,213,623*l.* whereas five years before it was only 18,375,000*l.*

The legislations of the different West India colonies will not agree to any one of the recommendations sent last year by ministers: to relinquish the use of the whip as a stimulus to labour, no longer to flog females, and to abolish Sunday markets and Sunday labour, that their slaves might have an opportunity of religious instruction, &c. &c.

Further, the assembly of Jamaica have petitioned his Majesty to prevent the discussion in parliament of any slave question, giving the pretended reason, that their human property is in danger of being lost, and asking indemnity.

The profound and highly-gifted governor has arrived from the Cape of Good Hope, and it is not supposed the colony will suffer much by his absence.

Van Dieman's Land is rapidly advancing. A quantity of the country wool has been sent to Yorkshire, where it receives a high character, and has been returned in cloth.

CHAPTER VII.

State of France, Spain, Portugal, Germany, the North,—Russia, Greece, Turkey, America, &c.

A YEAR of profound tranquillity might afford opportunity for the advancement of society. Not so, however, if ultra-royalism and ultra-priestism can prevent it. In France, this year has witnessed the passing of the horrible law of sacrilege. The *Constitutionnel* and *Courier Français* newspapers have been prosecuted at the instance of the Jesuits, and they have lost no opportunity of proclaiming their principles.

General La Fayette landed from an American frigate at Havre, where he was well received by the inhabitants, but no tumult took place. On arriving at Rouen, he dined with M. Cabanon, one of his old colleagues in the Chamber of Deputies. More than 2000 persons assembled in front of the house in the evening, shouting "Vive La Fayette!" The police thought fit to call out the gendarmerie to clear the street, who charged the unoffending people with drawn sabres, and many were injured. They also prohibited the supplying his carriage with post-horses to leave the city. La Fayette, however, contrived to quit the place, escorted by a number of his friends. Nothing can set in a clearer point of view the degradation of the French people, and the odious character of the Jesuit-ridden *noblesse*, who fill the places of authority under the Bour-

bons, than the meanness of such conduct.

The principal laws passed in the Chambers, were the indemnity to emigrants and the reduction of the *rentes*, in which last M. Villele partially succeeded, 30,688,268 fr. having been converted. The independence of Hayti has been recognised for a compensation of 150,000,000 of francs to the ancient proprietors, and only half the duty to be levied upon French goods which is taken from other nations.

The coronation of the king, with the most frivolous ceremonies, took place at Rheims on the 29th of May. The mummeries practised on this occasion, particularly in the priestly part of the show, were unworthy a Chinese gala, and totally at variance with the good sense of the nation over which the monarch is placed. The French people, light and frivolous as they are, seemed to take little participation in the festivities and grovelling superstition displayed on this occasion. The silence and apathy of the bulk of the people is said not to have been unnoticed by the king, and the just detestation in which the agents of the Jesuits, and the attempts to extend the power of the clergy, are held, and the known support they receive from Charles X. have rendered him suspected and disliked. Great

extortions have been daily made by the priests. Remonstrances to the king and ministers have been made, not only without effect, but the complainants have been reprimanded for their conduct.

Spain exhibits, under its wretched state of legitimate misgovernment, alternate apathy, rebellion, anarchy, cruelty, and in every variation, varied misery.

Bessieres, an *ultra*, having decamped from Madrid, intending to head a party against the too moderate councils of Ferdinand! was pursued, taken, and shot; while the Empecinado, Don Juan Martin, perished by the hands of the executioner as bravely as he lived, after a long and cruel imprisonment. The noted Trappist has been put out of the way, or died rather suddenly. The Empecinado exclaimed, "What! is this the way I am rewarded by a king for all my services! I, who was the very first to raise the standard in his favour, and conduced more than any other to the destruction of the French, and the placing the crown on his head!" He made strong efforts to escape, released his hands from their fetters, grasped a sword of one of the officers, and, if his legs had been free, perhaps might have succeeded. It required several to secure him and to finish the business. He died execrating the king, the priests, and all around him. Orders were sent to Granada to put the laws in execution with regard to the Freemasons, who were apprehended holding a lodge. Paul Iglesias, a most excellent and virtuous citizen, perished on the scaffold at Madrid: when the people saw on a hurdle a man whom they had known as one of the most flourishing citizens

of the capital, a general sentiment of pity was manifested. But Iglesias mounted the scaffold, and having already the cord round his neck, asked to speak:—"Spaniards, my brothers," said he, "I have been devoted to liberty; I die like a Christian; I have received the aids of religion; pray for me. I die for my country,—for you all; learn from me to die with courage." Here the executioner threw himself off with him, and Iglesias, already suspended, cried with a loud voice, "Liberty or Death."

Surely, fearful retribution will one day be awarded for this, and much beside which the world knows not!

The pope has been excommunicating, imprisoning, and putting to death, certain of his obnoxious subjects, under the vague charge of being carbonari, just as his pious son of Spain has been butchering freemasons. To their credit, the unhappy men met death bravely, and were insensible to the threats and entreaties of the monks, who disturbed their last moments in this world.

A treaty has been concluded, under the mediation of England, between Portugal and Brazil, in which the latter is declared independent. The emperor is to retain the independent sovereignty of the Brazils during his father's life, and to continue to reside at Rio Janeiro, even though the kingdom of Portugal should descend to him by right of succession, which is to be preserved. Two millions sterling, given by the Brazilian government, are not the purchase-money for its independence, but an indemnity paid to King John VI. for the produce of the

the mines and other property belonging to him.

A "Treaty of Commerce and Navigation," was entered into between Great Britain and the Hanseatic towns. This treaty is one of pure reciprocity, by which the vessels of Great Britain are admitted to the ports of the Hanseatic towns on the same conditions as their own vessels, which possess a similar privilege in British ports.

The Emperor of Austria and the Diet of Hungary do not appear to have been on the best terms; the latter addressed a warm remonstrance to him, the emperor has moderated his tone, assuring them that he intended no attack on their constitution, that he will certainly convoke a diet every three years, and that, even if they wish a meeting before the expiring of the first triennial term, he will comply with their petition to that effect.

The Hon. Leycester Stanhope, so distinguished for his exertions in the cause of Greece, having visited Milan, was ordered to quit that city in twenty-four hours. Like Lord Holland and Lady Morgan, he has been turned off the territory of the Austrian satrap, but with the difference, that no reason for the proceeding has been given.

In Russia, the most important event is the death of the Emperor at Taganrog, on the 1st December, —some say of fever, others of erysipelas. The Emperors of Russia are remarkable for dying suddenly: but when the mildness of his rule is considered, it seems full as likely that he died a natural as a violent death. Time alone can settle the question. The Emperor was born in 1777, and succeeded his father Paul in 1801.

His brother Constantine is the legitimate successor; but Alexander willed that the crown should not be placed upon the head of Constantine, but of Nicholas, the second in right; and he had prevailed upon Constantine to sign an instrument of renunciation, in furtherance of his views. On the death of Alexander being known, a part of the troops and people proceeded to take the oaths to Constantine, the legal successor. Among those who were the foremost to do this, were the soldiers of the regiment of which this prince was colonel. In the mean time the archduke Nicholas was not idle. He produced the document signed by Constantine, renouncing the throne, and claiming the crown as the next in succession. The regiment of Constantine refused to take the oath to Nicholas, having just taken it to Constantine, and perhaps suspecting foul play to their colonel. The number of soldiers who acted thus were between two and three thousand. The new Emperor Nicholas parleyed with the refractory troops in vain, on which they were attacked by artillery and infantry, who had taken the oaths to Nicholas, and dispersed after two hundred had been killed.

Greece has lost ground in the past year, and now Missolonghi has fallen: but the powers of Europe appear about to interfere in her favour.

The election to the presidency of the United States was decided in favour of Mr. Adams. The numbers at the close of the proceedings stood as follows:—For Mr. Adams, 13; General Jackson, 7; Mr. Crawford, 4.

Accounts make mention of the project

project for making a sloop canal around the falls of Niagara: a measure of great utility.

In South America, Bolivar obtained a great victory over the Spaniards at Guamanguilla, and achieved the complete destruction of the Spanish force in Peru.

In Upper Peru, Olaneta had been totally defeated by General Sucre.

The speech of the President to the Mexican Congress furnishes a most satisfactory statement with respect to the state of the country, in a financial point of view. Warlike magazines have been formed—funds provided for the purchase of ships of war—and the current expenses of the State provided for; paper money no longer exists, and a part of the national debt has already been paid off.

A most important document has been published by that Congress, respecting the interference of the head of the church in the civil affairs of foreign states—and it is the more important, as the Mexicans are such bigoted Catholics, that they do not permit the exercise of any other religion within their territory. This paper is moderate in its language, but firm in purpose, and traces with a vigorous hand the limits between civil authority and ecclesiastical usurpation. It strips his Holiness of that dangerous prerogative by which his predecessors pretended to free subjects from their allegiance, and by which he himself now offers to patch up a claim of allegiance for Ferdinand. In the declaration of the Mexican congress, the Pope is so far from being considered as the *Deus in terris*, that any attention to his commands in civil or political

matters is declared rebellion against the state, for which no alliance to the Tiara can obtain pardon. Nay, in this document, his Holiness is defeated with his own theological weapons; for if the court of Rome adopt the maxim of some ultra-Catholics—*Papa et Christus faciunt unum Consistorium*—(the Pope and Christ form one Consistory)—the Mexican government replies, that the latter member of the Consistory never claimed temporal obedience, and never interfered with secular authority. They consider his reply to the Pharisees, who provoked him to give his opinion respecting the Roman dominion exercised over the Jewish people—"Give to Cæsar those that be Cæsar's, and to God those that be God's"—as full of prudence and wisdom, admirable in all respects, and which in a few words comprehends all the plan of the Gospel respecting civil governments. The declaration concludes by stating, that "Congress is not afraid that the public tranquillity can be disturbed on pretexts of religion: but if, unfortunately, any wayward incendiary should endeavour to excite disturbances, whatever be his class, dignity, or condition, or under whatever disguise he appears, even though it should be that of supporting religion, the state has at its head a vigorous and energetic government, which can make itself respected, and bring down the sword of justice on the guilty, severing from the rest of the inhabitants, and even of mankind, the rash man who would dare to cause the ruin of his brethren."

Captain Martinez sent out by the Spanish government with the

Aria

Aria, 68 guns, has given the ship up to the Mexicans.

In the Bogota journals is a gratifying letter written by Bolivar, on learning that "Great Britain---the Mistress of Nations," had recognised the independence of the Colombian Republic. The Liberator evidently cared more for the sole recognition of England, than for that of all the kingdoms and empires of which the rest of Europe is composed. The "Mistress of Nations" having spoken, he considers the enterprise of giving liberty to the New

World as terminated. This great man had written a second letter to Joseph Lancaster, enclosing bills of exchange for twenty thousand dollars, to enable him to prosecute his system of instruction in Colombia.

In Africa, a treaty has been signed with several of the petty kings for the abolition of the slave trade, and as every benevolent heart would desire, it may fairly hope, that Africa will advance in some proportion of civilization and happiness with the rest of the world.

PUBLIC PAPERS.

Abstract of the Net Produce of the Revenue of Great Britain, in the Years ended 10th of October, 1824, and 10th of October, 1825, distinguishing the Quarters:—

	QUARTERS ENDED—				Year ended Oct. 10, 1824.
	Jan. 5, 1824.	April 5, 1824.	July 5, 1824.	Oct. 10, 1824.	
Customs	£2,853,349	2,187,556	1,997,070	3,240,272	10,278,243
Excise	5,847,132	5,396,365	5,963,338	7,113,017	24,319,852
Stamps	1,556,810	1,665,796	1,691,588	1,759,680	6,673,874
Taxes under the management of the Commissioners of Taxes, including Arrears of Property	1,946,084	533,382	1,918,672	481,968	4,880,106
Post-office	361,000	356,000	347,000	375,000	1,439,000
1s. 6d. and 4s. in the pound on Pensions	13,646	14,450	21,014	11,271	60,381
Hackney-coaches, and Hawkers and Pedlars	27,380	3,700	5,800	18,900	56,362
Crown Lands	—	480	—	486	966
Small branches of the King's Hereditary Revenue . .	1,295	—	2,277	500	3,490
Surplus Fees, Regulated Public Offices	18,649	5,121	161	17,000	40,931
Total Ordinary Revenue	12,625,341	10,162,850	11,946,920	13,018,094	47,753,205
Repayment by Austria	766,667	1,733,333	—	—	2,500,000
Imports and other Monies	33,047	40,324	42,560	30,956	146,887
Total Revenue	13,425,055	11,936,507	11,989,480	13,049,050	50,400,092
Applied as Consolidated Fund	13,131,970	11,735,070	11,017,485	11,201,692	47,086,217
To pay off Exchequer Bills charged on the Annual Duties	290,085	192,437	970,138	1,843,395	3,296,055
Applied as part of the Ways and Means of the year	3,000	9,000	1,857	3,963	17,820
Total	13,425,055	11,936,507	11,989,480	13,049,050	50,400,092

	QUARTERS ENDED—				Year ending Oct. 10, 1835.
	Jan. 5, 1835.	April 5, 1835.	July 5, 1835.	Oct. 10, 1835.	
CUSTOMS	2,814,841	2,277,215	3,935,641	5,278,455	14,306,152
Excise	6,640,563	5,575,448	4,249,845	5,154,858	21,620,714
STAMPS	1,636,032	1,714,819	1,822,646	1,823,519	6,997,016
Taxes under the management of the Commissioners of Taxes, including Arrears of Property.	1,988,048	477,396	2,035,463	474,433	4,975,340
Post-office	366,000	387,000	369,000	379,000	1,501,000
1s. 6d. and 4s. in the pound on Pensions	14,839	17,576	12,658	13,503	58,376
Hackney-coaches, and Hawkers and Pedlars	28,734	3,700	8,221	17,700	58,355
Crown Lands	—	—	—	—	—
Small branches of the King's Hereditary Revenue	2,411	22	5,006	—	7,439
Surplus Fees, Regulated Public Offices	17,605	8,363	2,133	—	28,101
Total Ordinary Revenue	13,508,873	10,461,539	12,440,613	13,141,462	49,552,493
Repayment by Austria	—	—	—	—	—
Imports and other Monies	62,182	51,028	52,908	45,176	211,294
Total Revenue	13,571,055	10,512,567	12,493,521	13,186,644	49,763,787
Applied as Consolidated Fund	13,571,013	10,404,673	11,488,988	11,634,958	47,092,632
To pay off Exchequer Bills charged on the Annual Duties	42	104,894	1,004,533	1,543,686	2,653,155
Applied as part of the Ways and Means of the year	—	3,000	—	8,000	11,000
Total	13,571,055	10,512,567	12,493,521	13,186,644	49,763,787

INCOME AND EXPENDITURE.

INCOME.

	Produce, 1824.	Estimate, 1825.	Estimate, 1826.	Estimate, 1827.
	£.	£.	£.	£.
Customs . . .	. . .	11,350,000	11,400,000	*11,730,000
Excise . . .	. . .	26,400,000	26,400,000	26,400,000
Stamps . . .	59,362,403	7,100,000	7,100,000	7,100,000
Taxes . . .	. . .	4,875,000	4,875,000	4,875,000
Post-office . .	. . .	1,500,000	1,500,000	1,500,000
Miscellaneous	. . .	750,000	600,000	600,000
		51,975,000	51,875,000	52,205,000
Trustees of half-pay . . .	. . .	4,470,370	4,320,000	4,155,000
		56,445,370	56,195,000	56,360,000
Expenditure . .	57,924,659	56,001,842	55,330,324	55,105,324
Surplus, 1824 .	1,437,744			
1825 .	443,528			
1826 .	864,676			
1827 .	1,254,676			
Total surplus .	4,000,624			

EXPENDITURE.

	Actual, 1824.	Estimate, 1825.	Estimate, 1826.	Estimate, 1827.
	£.	£.	£.	£.
Consolidated Fund.				
Interest of Debt . . .	. . .	27,233,670	27,083,670	26,933,670
Do. Excheq. bills . . .	. . .	40,000	50,000	50,000
Civil list, &c. . .	. . .	2,050,000	2,050,000	2,050,000
Half-pay annuity . . .	. . .	2,800,000	2,800,000	2,800,000
Sinking fund . . .	. . .	5,486,654	5,636,654	5,786,654
	57,924,659	37,610,324	37,620,324	37,620,324
Supply.				
Interest Exch ^r . bills . . .	. . .	820,000	800,000	800,000
Army . . .	. . .	†7,911,757	7,750,000	7,720,000
Navy . . .	. . .	5,983,120	5,900,000	5,875,000
Ordnance . . .	. . .	1,376,641	1,360,000	1,340,000
Miscellaneous . . .	. . .	‡2,300,000	1,900,000	1,750,000
		56,001,842	55,330,324	55,105,324

* Discontinuance of sugar bounty, and progressive diminution of other bounties.

† Including the training and clothing of the militia of Great Britain.

‡ Including a sum to be paid to America under treaty.

DUTIES PROPOSED TO BE REPEALED, AND ESTIMATED ANNUAL LOSS.

Hemp—Reduce to $\frac{1}{2}$ d. per lb. (half)	£100,000
Coffee—Half the duty of 1s. per lb.	150,000
Wine—French, from 11s. $5\frac{1}{2}$ d. per gallon to 6s.	} 230,000
Portuguese, from 7s. 7d. to 4s.	
British Spirits—From 10s. 6d. per gal. to 5s. from malt	} 750,000
6s. from grain	
Rum—From 10s. 6d. per gallon to 8s.	
*Cider—From 30s. per hogshead to 15s.	15,000
† Assessed Taxes	270,000
Iron and other prohibitory duties	Nil
	<u>£1,515,000</u>

• It will be seen that in the course of his speech the Chancellor of the Exchequer was induced to lower this duty to 10s. per hogshead.

† Four-wheel carriages drawn by ponies	£857
Occasional waiters, &c.	1,343
Coachmakers' licences	354
Carriages sold by auction, or on commission	3,391
Mules carrying ore, &c.	137
Persons quitting houses after the commencement of the year	5,000
Houses left in the care of a person	4,000
One additional window allowed where there is a cheese-room	} 1,000
or dairy	
Farm-houses occupied by labourers	1,000
Husbandry servant, occasionally employed as groom,	2,000
Farmers letting husbandry horses to hire	4,000
Taxed carts	18,913
Houses and windows.—Whole of the duty on windows, on	} 235,000
houses not having more than seven. Inhabited house-duty	
on houses under 10l. rent.	
	<u>£276,995</u>

Total Quantity of Gold in Bars, or otherwise, Exported from the United Kingdom.

Years ending 5th Jan.	Gold Bullion.		Foreign Gold Coin.		British Gold Coin.		Foreign Gold Plate.		British Gold Plate.		Total Export of Gold.	
	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.
1815	40,835	12	246,976	9	—	—	—	—	309	16	288,121	17
1816	51,012	3	294,309	8	—	—	—	—	729	1	346,050	12
1817	—	—	10,797	15	—	—	—	—	905	7	11,703	2
1818	57,569	5	116,277	17	—	—	—	—	2,576	0	176,423	2
1819	57,437	9	78,770	12	—	—	—	—	1,768	3	137,976	4
1820	15,937	17	69,140	1	5,763	8	—	—	2,381	16	93,223	2
1821	—	—	30,431	10	3,172	5	—	—	5,967	4	39,570	19
1822	181	0	13,618	1	—	—	—	—	29	19	13,829	0
1823	57,218	17	79,478	2	147,555	18	—	—	24	19	284,277	16
1824	87,022	0	111,351	8	98,000	0	—	—	102	7	296,475	15
1825	241,840	4	128,403	7	764,109	12	1	5	53	5	1,134,407	13

Total Quantity of Silver in Bars, or otherwise, Exported from the United Kingdom.

Years ending 5th Jan.	Silver Bullion.		Foreign Silver Coin.		British Silver Coin.		Foreign Silver Plate.		British Silver Plate.		Total Export of Silver.	
	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.	Oza.	dwt.
1815	296,582	15	2,305,409	18	—	—	—	—	97,941	5	2,699,923	18
1816	37,195	0	6,263,640	12	—	—	—	—	121,052	9	6,421,888	1
1817	195,119	0	6,468,839	16	—	—	422	0	149,703	2	6,814,083	18
1818	1,300,746	15	6,878,838	0	—	—	195	0	142,991	1	8,322,770	16
1819	9,205,636	17	8,425,905	10	—	—	—	—	145,324	4	17,777,366	11
1820	658,100	0	6,546,358	0	—	—	300	0	151,328	0	7,356,086	0
1821	523,162	10	4,828,398	12	—	—	—	—	198,906	4	5,550,467	6
1822	355,929	10	4,162,782	10	—	—	250	0	155,195	17	4,674,157	17
1823	7,980,315	10	6,565,506	8	—	—	40	0	112,389	16	14,658,251	14
1824	1,511,331	15	10,056,922	5	—	—	600	9	155,164	16	11,724,019	5
1825	2,516,680	0	6,069,051	0	—	—	2,201	0	118,045	14	8,705,977	14

EXPORTS.

An Account of the Value, as calculated at the official rates, of all British and Irish Produce and Manufactures, exported from Great Britain in each of the three years ended the 10th of October, 1824; distinguishing the leading Branches of the Manufactures, &c. exported.

Branches of Manufactures.	Years ended October 10,		
	1822.	1823.	1824.
	£.	£.	£.
Brass and Cotton Manufactures	632,966	684,284	582,577
Cotton Manufactures	23,938,260	24,618,588	26,880,937
— Twist and Yarn	2,418,813	2,636,632	3,138,347
Glass & Earthenware of all sorts	271,422	275,994	284,368
Hardwares and Cutlery	592,785	588,700	680,986
Iron & Steel, wrought & unwrought	1,412,218	1,400,616	1,490,314
Linen Manufactures	2,504,009	2,667,916	3,174,824
Silk Manufactures	212,855	183,752	189,813
Sugar, British refined	1,262,769	1,285,024	1,121,940
Woollen Goods	6,593,177	5,977,424	6,880,200
All other Articles	5,948,115	5,942,581	6,334,492
Total	45,787,389	46,261,511	50,758,808

An Account of the Value, as calculated at the official rates, of all Foreign and Colonial Merchandise exported from Great Britain in each of the three years ended the 10th of October, 1824; distinguishing the principal Articles exported.

Principal Articles.	Years ended October 10,		
	1822.	1823.	1824.
	£.	£.	£.
Barilla, Alkali, and Ashes	81,219	57,532	85,857
Coffee and Cocoa	2,510,422	1,901,425	2,418,384
Copper, unwrought	86,752	103,896	211,201
Corn, Grain, Meal, and Flour	251,477	293,490	141,403
Dyewoods, viz. Fustic and Logwood	78,266	151,086	80,538
Hides, raw and tanned	50,494	89,809	144,336
Indigo	498,716	564,101	533,847
Piece Goods of India	1,111,596	1,036,604	1,033,733
Spelter	87,374	200,234	399,150
Spices, including Pepper	447,696	577,981	561,725
Spirits	836,351	751,885	876,585
Sugar, raw	1,020,003	962,824	1,042,816
Tobacco	238,015	261,469	233,191
Wines	174,470	172,682	230,571
Wool, Cotton	1,361,782	897,819	784,881
All other Articles	2,127,726	1,768,993	2,206,026
Total	10,962,359	9,791,830	10,978,244

WILLIAM IRVING,

Inspector General of Imports and Exports.

An Account of the Amount of Stamps for Newspapers in the years 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, and 1824, distinguishing the different years.

Year.	Great Britain.			Ireland.			Total.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1814 . .	383,658	7	7	-----*			383,658	7	7
1815 . .	383,695	16	3½	-----*			383,695	16	3½
1816 . .	367,505	18	0	-----*			367,505	18	0
1817 . .	363,284	9	4	19,080	0	2	382,364	9	6
1818 . .	367,738	16	4	20,417	0	4	388,155	16	8
1819 . .	384,140	16	4	21,406	18	11	405,547	15	3
1820 . .	440,228	2	4	22,878	2	5	463,106	4	9
1821 . .	414,369	15	4	22,546	8	10½	436,916	4	2½
1822 . .	398,873	7	8	23,757	9	6½	422,630	17	2½
1823 . .	411,171	1	8	25,688	8	0	436,859	9	8
1824 . .	426,231	16	4	25,884	12	2	453,116	8	6
	4,340,898	7	2½	181,659	0	5	4,522,557	7	7½

*Treasury Chambers,
May 31, 1825.*

J. C. HERRIES.

* In these years there was no separate account kept of the amount of newspaper stamps issued in Ireland.

An Account of the number of Vessels which have entered the port of London in each of the three years ended Jan. 5, 1825, distinguishing the vessels which have entered from foreign parts, the number of colliers, coasters, and fishing vessels :

	Year 1822.		Year 1823.		Year 1824.	
	Brit. No.	For. No.	British No.	For. No.	British No.	Foreign No.
Entered from Foreign Parts, (exclusive of Ireland) .	3,230	597	3,091	865	3,132	1,643
----- Ireland . . .	479	..	{ 617* 157* }	..	513	..
Colliers	5,756	..	6,490	..	7,117	..
Coasters	10,023	..	10,815	..	11,213	..
Fishing-vessels	4,172	..	3,827	..	3,769	..

Note.—The above account contains a return of such vessels only as are taken cognizance of at the Custom-house.

T. E. WILLOUGHBY.

*Office of Register-General of Shipping,
Custom-house, London, Feb. 17, 1825.*

* This distinction is made in vessels trading with Ireland in the year 1823, owing to 617 having entered as foreign, and 157 as coasters, in consequence of all vessels trading with that country having been directed to be considered as coasters from the 10th of October, 1823.

Return of Exports and Imports, to show the increasing importance of the trade of the United Kingdom with Turkey and Egypt.

Value, declared at the Custom-house, of Goods exported from the United Kingdom:—

	£.	s.	d.
In the year 1822	972,447	8	1
1823	1,274,237	16	9
1824	1,397,509	4	11

The following is a Return of the gross receipt of the revenue of Excise in Ireland, distinguishing the amount:—

Year ending 5th of Jan. 1802 . .	£475,732	13	7½
1822	2,007,234	0	5½
1823	1,875,405	0	4½
1824	1,739,346	18	5½
1825	1,964,878	3	9½

Accountant-General's Office, June 13, 1825.

R. COOPER.

**An Account of the Duty on Hops, of the growth of the year 1825,
distinguishing the districts, and the old from the new duty.**

Districts.	Duty.		
Barum	£1	18	10
Bedford	4	7	0
Cambridge	0	3	10
Canterbury	3,939	12	2
Chester	4	16	4
Cornwall	3	7	4½
Derby	374	19	6
Dorset	2	3	2
Essex	106	19	4
Exon	6	19	10
Gloucester	5	15	2
Grantham	85	8	10
Hunts	1,277	11	6
Hereford	16,830	0	8
Lincoln	1,872	2	8
Marlborough	1	16	2
Northampton	9	15	4
Oxon	1	15	8
Plymouth	0	9	1
Reading	0	0	10
Rochester	9,332	0	2
Sarum	963	4	8
Somerset	1	2	6
Stourbridge	694	13	10
Suffolk	29	12	6
Surrey	0	11	2
Sussex	3,548	1	10
Uxbridge	0	0	8
Wales, East	0	18	10
—— Middle	222	10	0
—— West	0	8	5
Worcester	2,967	2	6
<hr/>			
	£42,290	10	4½
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Old duty, at 1d. 12-20 per lb.	24,317	0	11½ 7-20
New ditto, at ¾ 8-20 per lb.	17,973	9	4½ 13-20
<hr/>			
	£42,290	10	4½

(Signed)

J. EWBANK, Gen. Acct.

*Excise Office, London,
Nov. 12, 1825.*

RETURN of the Amounts of the Slave Population in each of his Majesty's Colonies in the West Indies, distinguishing the Males and Females; as received in the Office of the Registrar of Colonial Slaves since the 18th April, 1824 :—

	Year.	Males.	Females.	Total.
Barbadoes	1823	36,159	42,657	78,816
Demerara	1823	41,224	33,753	74,977
Grenada	1823	12,258	13,052	25,310
Jamaica	1823	166,595	169,658	336,253
Tobago	1823	6,812	7,262	14,074
Ditto	1824	6,558	7,098	13,656
Trinidad	1822	13,052	10,336	23,388

RETURN of the Amounts of the Slave Population in the Colonies of the Cape of Good Hope and Mauritius, distinguishing the Males and Females; as received in the Office of the Registrar of Colonial Slaves since its first establishment :—

	Year.	Males.	Females.	Total.
Cape of Good Hope . . .	1819	20,098	13,743	33,841
Ditto	1820	20,313	14,016	34,329
Ditto	1821	20,494	14,263	34,757
Ditto	1822	20,461	14,536	34,997
Ditto	1823	20,491	14,780	35,271
Mauritius	1816	55,717	29,706	85,423

Protest to the Second Reading of the Unlawful Societies Bill, entered on the Journals of the House of Lords, March 3, 1825.

1. Because the bill contains new restrictions on the exercise of a right coeval with our earliest institutions—viz. the right of petitioning; and new prohibitions and restraints on practices connected therewith, usually and legally resorted to by all classes of his Majesty's subjects who seek redress from laws by which they deem themselves aggrieved.

2. Because all proof of the existence and extent of such danger as can alone justify a measure of this nature was withheld from the house, and petitioners who deemed themselves particularly aimed at and aggrieved by the provisions of the bill were denied the permission of being heard at the bar, or adducing evidence in vindication of their conduct, or in proof of the injury which their interests would sustain in the event of the bill passing into a law.

3. Because the danger to be guarded against by this bill is not distinctly stated in any part thereof; and the danger apprehended does, in fact, arise from grievances which, naturally and necessarily produce discontent in many millions of our Irish fellow-subjects.

We are indeed well aware that the privileges of the people, the rights of free discussion, and the spirit and letter of our popular institutions, must render (and they are intended to render) the continuance of any extensive grievance, and of the dissatisfaction consequent thereupon, dangerous to the tranquillity of the country, and ultimately subversive of the authority of the state. Experi-

ence and theory alike forbid us to deny that effect of a free constitution. A sense of justice, and a love of liberty, equally deter us from lamenting it. But we have always been taught to look for the remedy of such disorders, and the prevention of such mischiefs, in the redress of the grievances which justify them, and in the removal of the dissatisfaction from which they flow—not in restraints on ancient privileges, not in inroads on public discussion, nor in violations of the principles of a free government.

If, therefore, the legal method of seeking redress which has been resorted to by persons labouring under grievous disabilities be fraught with immediate or remote danger to the state, we draw from the circumstance a conclusion long since foretold by great authority—viz. "that the British constitution and large exclusions cannot subsist together; that the constitution must destroy them, or they will destroy the constitution;" and we are thereby confirmed in our determination not to sacrifice any part of the ancient privileges of the people for the purpose of preserving certain statutes, which are comparatively modern, — which are themselves restraints on the rights of the people, and on the prerogatives of the crown; and which, in our conscience, we believe cannot long be maintained without civil bloodshed, or the surrender of all constitutional liberty in a part of the empire united to Great Britain, and thereby entitled to a full participation in the benefits of our free constitution.

(Signed) Vassall Holland; Augustus Frederick; Carnarvon; Charlemont;

Charlemont; Leinster; Grey; Auckland; Lansdown; Clifton (Darnley;) Wentworth Fitzwilliam; King; Grosvenor; Donoughmore; Mendip (Clifden;) Hillsborough (Downshire;) Dundas; Essex.

Protest on the Third Reading of the Corn Bill, March 20, 1825.

Dissentient. — 1. Because we are adverse in principle to all new restraints on commerce. We think it certain that public prosperity is best promoted by leaving uncontrolled the free current of national industry; and we wish rather, by well considered steps, to bring back our commercial legislation to the straight and simple line of wisdom, than to increase the deviation by subjecting additional and extensive branches of the public interest to fresh systems of artificial and injurious restriction.

2. Because we think that the great practical rule, of leaving all commerce unfettered, applies more peculiarly, and on still stronger grounds of justice as well as policy, to the Corn Trade than to any other. Irresistible indeed must be that necessity which could, in our judgment, authorize the legislature to tamper with the sustenance of the people, and to impede the free purchase and sale of that article on which depends the existence of so large a portion of the community.

3. Because we think that the expectations of ultimate benefit from this measure are founded on a delusive theory. We cannot persuade ourselves that this law will ever contribute to produce plenty, cheapness, or steadiness of price. So long as it operates at all, its effects must be the oppo-

site of these. Monopoly is the parent of scarcity, of dearth, and of uncertainty. To cut off any of the sources of supply can only tend to lessen its abundance; to close against ourselves the cheapest market for any commodity, must enhance the price at which we purchase it; and to confine the consumer of corn to the produce of his own country, is to refuse to ourselves the benefit of that provision which Providence itself has made for equalizing to man the variations of season and of climate.

4. But, whatever may be the future consequences of this law, at some distant and uncertain period, we see, with pain, that these hopes must be purchased at the expense of a great and present evil. To compel the consumer to purchase corn dearer at home than it might be imported from abroad, is the immediate practical effect of this law. In this way alone can it operate. Its present protection, its promised extension of agriculture, must result (if at all) from the profits which it creates by keeping up the price of corn to an artificial level. These future benefits are the consequences expected, but as we confidently believe erroneously expected, from giving a bounty to the grower of corn, by a tax levied on its consumer.

5. Because we think that the adoption of any permanent law, for such a purpose, required the fullest and most laborious investigation. Nor would if have been sufficient for our satisfaction could we have been convinced of the general policy of so hazardous an experiment. A still further inquiry would have been necessary

to persuade us that the present moment was fit for its adoption. In such an inquiry we must have had the means of satisfying ourselves what its immediate operation will be, as connected with the various and pressing circumstances of public difficulty and distress with which the country is now surrounded; with the state of our circulation and currency; of our agriculture and manufactures; of our internal and external commerce; and, above all, with the condition and reward of the industrious and labouring classes of our community.

On all these particulars, as they respect this question, we think that parliament is almost wholly uninformed; on all we see reason for the utmost anxiety and alarm from the operation of this law.

Lastly, because if we could approve of the principle and purpose of this law, we think that no sufficient foundation has been laid for its details. The evidence before us, unsatisfactory and imperfect as it is, seems to us rather to disprove than to support the propriety of the high price adopted as the standard of importation and the fallacious mode by which that price is to be ascertained.

And on all these grounds we are anxious to record our dissent from a measure so precipitate in its course, and, as we fear, so injurious in its consequences.

(Signed) Augustus Frederick (Duke of Sussex); William Frederick (Duke of Gloucester); Grenville; Wellesley; Essex; Torrington; Dutton (Marquis of Douglas); Chandos Buckingham; Montford; King; Carlisle.

Protest on the rejection of the Bill limiting the consequences of Attainder in cases of High Treason and Murder to the Offender or Offenders, entered on the Journals of the House of Lords, on Thursday, the 26th of May.

1. Because the law of forfeiture and corruption of blood, inasmuch as it despoils the innocent of their legal inheritance and expectations, is founded on principles inconsistent with natural justice and revolting to humanity.

Penalties inflicted on guilt may in other instances too often affect indirectly the interests, and directly the feelings, of innocent persons; such is, perhaps, the unavoidable imperfection of penal law; but to endeavour to deter the evil-disposed from the perpetration of wickedness by an avowed design of wreaking vengeance on their unoffending relations and posterity, is wantonly to select a sad, if necessary, defect to which human punishments are occasionally liable, as the very essence, rule, and principle thereof, and to expect from cruelty that security which nothing but justice can or ought to confer on political societies.

2. Because the unjust and inhuman device of punishing the innocent heirs of a traitor for the treason of their relation or ancestor, has, in all seasons of civil commotion, been found insufficient to deter men of strong passions, however elevated their fortune or their rank, from engaging in treasonable designs, and has an obvious tendency to shake the stability of property, to perpetuate the remembrance of political feuds, and to aggravate in individuals and families, in parties and sects, the

the turbulent vices of rapacity and revenge.

3. Because the adoption of the bill would have disturbed no principle of English law now in force, nor created any exception to the general consequences of attainder, on conviction and sentence for capital offences.

The law of forfeiture and of corruption of blood, as far as they affect the property or rights of the offender during his life, would have remained in full force, and the consequences of attainder since the 54th of George III., no longer affect the inheritance of any person or persons, save the offender and his accomplices, in any other case except those of treason and murder.

The law and consequences of attainder in all capital crimes would, therefore, have been more uniform and consistent, after the provisions of this bill had passed into law, than they are now left by its rejection. It seemed, moreover, to us, that the heir of a traitor or a murderer, being as little implicated in the guilt of treason and murder as the heir of any other felon in his felony, a similar immunity from all share of the punishment, which, on principles of justice or of mercy, had been granted to the one, should in reason be extended to the other.

4. Because the continuance of the law of corruption of blood and of forfeiture affecting estates in tailzie, disappoints the just expectations of the people of Scotland, and creates perplexities and anomalies in the jurisprudence of that part of the United Kingdom.

Corruption of blood was never part of the law of Scotland till after her union with England.

Forfeiture, so far as it affects

the heirs of an offender possessed of an estate in talzie, having been declared a grievance by the Scottish parliament at the revolution, was by a subsequent act of that legislature abolished in 1690; and although both those consequences of attainder were, for reasons arising from the emergencies of the time, extended, together with other provisions of the English law in cases of high treason, to that part of the United Kingdom, by an act of the 7th of Queen Anne; yet they were both doomed to expire by the provisions of that very statute, and actually stood condemned by the British legislature during the greater part of the last century. The immediate operation of those laws, which in the course of a very few years deprived many noble and opulent families of Scotland of their ancient possessions, proved that they were insufficient to deter powerful men from the commission of treason, and failed to reconcile the people of Scotland to their wisdom or their justice: and the subsequent restoration in part of the forfeited lands to the descendants of the offenders, as well as the recent reversal of nearly all the attainders at the gracious and benign recommendation of the crown, seem to amount to an acknowledgment that the consequences of such laws are unsuitable to the age and country on which they had been imposed, and repugnant to the royal feelings of a just, generous, and merciful prince. Moreover, the application of these laws to high treason in Scotland has not only been found harsh, but uncertain and difficult, owing to the different system of law subsisting in that country.

It appeared in an appeal to this house,

house, of the 21st March, 1751, that in consequence of the diversity of the nature of Scotch tailzies with substitutions and English entails with remainders over, strict legal reasoning might and would carry forfeitures to a larger extent in Scotland than in England, and the judgment of this house, possibly with a view of avoiding that cruel consequence (a view more reconcilable to equity and to law), did thereupon introduce, at least with respect to forfeiture, a remainder into Scotch law, which, till then, and in all other cases, is alien and unknown to the principles which regulate succession to real estates in that part of the United Kingdom.

(Signed) Vassall Holland; Lansdown; Rosebery; Rosslyn; Suffolk and Berkshire; Minto; Lauderdale.

DENMARK AND HANOVER.

Convention of Commerce.—His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Denmark, being equally desirous of extending and increasing the commercial intercourse between their respective states, and of affording every facility and encouragement to their subjects engaged in such intercourse; and being of opinion that nothing will more contribute to the attainment of their mutual wishes in this respect, than a reciprocal abrogation of all discriminating and countervailing duties which are now demanded and levied upon the ships or productions of either nation in the ports of the other, have appointed their plenipotentiaries to conclude a convention for that purpose, that is to say:—

His Majesty, the King of the

United Kingdom of Great Britain and Ireland, the Right Hon. Geo. Canning, a member of his said Majesty's most honourable privy council, a member of parliament, and his said Majesty's principal secretary of state for foreign affairs; and the Right Hon. Wm. Huskisson, a member of his said Majesty's most honourable privy council, a member of parliament, president of the committee of privy council for affairs of trade and foreign plantations, and treasurer of his said Majesty's navy:

And his Majesty the King of Denmark, Charles Emilius, Count de Moltke, grand cross of the order of Dabrog, his said Majesty's privy counsellor of conferences, and his envoy extraordinary at the court of his Britannic Majesty; who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following articles:—

Art. I. From and after the 1st day of July next, Danish vessels entering or departing from the ports of the United Kingdom of Great Britain and Ireland, and British vessels entering or departing from the ports of his Danish Majesty's dominions, shall not be subject to any other or higher duties or charges whatever, than are or shall be levied on national vessels entering or departing from such ports respectively.

II. All articles of the growth, produce, or manufacture of any of the dominions of either of the high contracting parties, which are or shall be permitted to be imported into, or exported from, the ports of the United Kingdom and of Denmark, respectively, in vessels of the one country, shall, in like manner, be permitted

permitted to be imported into, and exported from, those ports in vessels of the other.

III. All articles not of the growth, produce, or manufacture of the dominions of his Britannic Majesty, which can legally be imported from the United Kingdom of Great Britain and Ireland into the ports and dominions of the King of Denmark, in British ships, shall be subject only to the same duties as are payable upon the like articles if imported in Danish ships; and the same reciprocity shall be observed, with regard to Danish vessels, in the ports of the said United Kingdom of Great Britain and Ireland, in respect to all articles not the growth, produce, or manufacture of the dominions of his Danish Majesty, which can legally be imported into the ports of the United Kingdom in Danish ships.

IV. All goods, wares, and merchandise, which can legally be imported into the ports of either country, shall be admitted at the same rate of duty, whether imported in vessels of the other country, or in national vessels; and all goods, wares, or merchandise, which can be legally exported from the ports of either country, shall be entitled to the same bounties, drawbacks, and allowances, whether exported in vessels of the other country, or in national vessels.

V. No priority or preference shall be given, directly or indirectly, or by the government of either country, or by any company, corporation, or agent, acting on its behalf, or under its authority, in the purchase of any article the growth, the produce, or manufacture of either country, imported

into the other, on account of, or in reference to, the character of the vessel in which such article was imported; it being the true intent and meaning of the high contracting parties that no distinction or difference whatever shall be made in this respect.

VI. The high contracting parties having mutually determined not to include in the present convention their respective colonies, in which are comprehended, on the part of Denmark, Greenland, Iceland, and the islands of Ferroe; it is expressly agreed that the intercourse which may at present legally be carried on by the subjects or ships of either of the said high contracting parties with the colonies of the other, shall remain upon the same footing as if this convention had never been concluded.

VII. The present convention shall be in force for the term of ten years from the date hereof; and further, until the end of twelve months after either of the high contracting parties shall have given notice to the other of its intention to terminate the same; each of the high contracting parties reserving to itself the right of giving such notice to the other, at the end of the said term of ten years; and it is hereby agreed between them, that, at the expiration of twelve months after such notice shall have been received by either party from the other, this convention, and all the provisions thereof, shall altogether cease and determine.

VIII. The present convention shall be ratified, and the ratifications shall be exchanged at London, within one month from the date hereof, or sooner, if possible.

In witness whereof, the respective

tive plenipotentiaries have signed the same, and have affixed thereto the seals of their arms. Done at London, the 16th day of June, in the year of our Lord 1824.

(Signed) GEORGE CANNING.
W. HUSKISSON.
C. E. MOLTKE.

SEPARATE ARTICLE.

The high contracting parties reserve to themselves to enter upon additional stipulations for the purpose of facilitating and extending, even beyond what is comprehended in the convention of this date, the commercial relations of their respective subjects and dominions, upon the principle either of reciprocal or equivalent advantages, as the case may be. And in the event of any articles or article being concluded between the said high contracting parties, for giving effect to such stipulations, it is hereby agreed, that the article or articles which may hereafter be so concluded shall be considered as forming part of the aforesaid convention.

The present separate article shall have the same force and validity as if it were inserted, word for word, in the convention signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms. Done at London, the 16th day of June, in the year of our Lord 1824.

(Signed) GEORGE CANNING.
W. HUSKISSON.
C. E. MOLTKE.

ADDITIONAL ARTICLE.

Their Britannic and Danish Ma-

jesties mutually agree, that no higher or other duties shall be levied, in either of their dominions, (their respective colonies being excepted from the convention of this date) upon any personal property of their respective subjects, on the removal of the same from the dominions of their said Majesties reciprocally, either upon the inheritance of such property, or otherwise, than are or shall be payable in each state, upon the like property, when removed by a subject of such state respectively.

The present additional article shall have the same force and validity as if it were inserted, word for word, in the convention signed this day. It shall be ratified, and the ratification shall be exchanged at the same time.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms. Done at London, the 16th day of June, in the year of our Lord 1824.

(Signed) GEORGE CANNING.
W. HUSKISSON.
C. E. MOLTKE.

Declarations of Great Britain and Hanover, respecting Reciprocity of Commerce.

The undersigned, his Britannic Majesty's principal secretary of state for foreign affairs, and the minister of state and cabinet of his Majesty the King of Hanover, hereby declare, in the name of their respective governments,—

That the Hanoverian government having placed British ships, and all articles imported in such ships, in respect to all duties, whether upon the goods or upon the ships, and in respect to charges and privileges of pilotage, upon the

the same footing with Hanoverian ships, and the like goods, if imported in such ships; and the said Hanoverian government binding itself to observe these conditions, and any other stipulations in favour of the shipping and commerce of Great Britain, which are contained in a convention between his Britannic Majesty and the King of Prussia, concluded and signed at London on the 2d day of April, 1824,—

His Britannic Majesty engages to extend to the subjects and shipping of the kingdom of Hanover, all the benefits secured by the said convention to the shipping and commerce of Prussia, upon the principle of reciprocity which forms the basis of the said convention.

In witness whereof, they have signed the present declaration, and have affixed thereto the seals of their arms. Done at London, the 12th day of June, in the year of our Lord 1824.

(Signed) GEORGE CANNING.
MUNSTER.

The undersigned, the minister of state and cabinet of his Majesty the King of Hanover, and his Britannic Majesty's principal secretary of state for foreign affairs, hereby declare, in the name of their respective governments—

That the Hanoverian government having placed British ships, and all articles imported in such ships, in respect of all duties, whether upon the goods or upon the ships, and in respect to charges and privileges of pilotage, upon the same footing with Hanoverian ships, and the like goods, if imported in such ships; and the said Hanoverian government binding

itself to observe those conditions, and any other stipulations in favour of the shipping and commerce of Great Britain, which are contained in a convention between his Britannic Majesty and the King of Prussia, concluded and signed at London, on the 2d day of April, 1824,—

His Britannic Majesty engages to extend to the subjects and shipping of the kingdom of Hanover, all the benefits secured by the said convention to the shipping and commerce of Prussia, upon the principle of reciprocity which forms the basis of the said convention.

In witness whereof, they have signed the present declaration, and have affixed thereto the seals of their arms. Done at London, the 12th day of June, in the year of our Lord 1824.

(Signed) MUNSTER.
GEORGE CANNING.

Convention with Russia.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the Emperor of all the Russias, being desirous of drawing still closer the ties of good understanding and friendship which unite them, by means of an agreement which may settle, upon the basis of reciprocal convenience, different points connected with the commerce, navigation, and fisheries of their subjects on the Pacific Ocean, as well as the limits of their respective possessions on the north-west coast of America, have named plenipotentiaries to conclude a convention for this purpose, that is to say— His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Hon. Stratford Canning,

Canning, a member of his said Majesty's most hon. privy council, &c.; and his Majesty the Emperor of all the Russias, the Sieur Charles Robert Count de Nesselrode, his Imperial Majesty's privy counsellor, a member of the council of the empire, secretary of state for the department of foreign affairs, &c., and the Sieur Pierre de Poletica, his Imperial Majesty's counsellor of state, &c.; who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and signed the following articles:—

Art. I.—It is agreed that the respective subjects of the high contracting parties shall not be troubled or molested, in any part of the ocean, commonly called the Pacific Ocean, either in navigating the same, in fishing therein, or in landing at such parts of the coast as shall not have been already occupied, in order to trade with the natives, under the restrictions and conditions specified in the following articles.

II.—In order to prevent the right of navigating and fishing, exercised upon the ocean by the subjection of the high contracting parties, from becoming the pretext for an illicit commerce, it is agreed that the subjects of his Britannic Majesty shall not land at any place where there may be a Russian establishment, without the permission of the governor or commandant; and, on the other hand, that Russian subjects shall not land, without permission, at any British establishment on the north-west coast.

III.—The line of demarcation between the possessions of the high contracting parties, upon the coast

of the continent, and the islands of America to the north-west, shall be drawn in the manner following:—

Commencing from the southernmost point of the island called Prince of Wales's Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133d degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British possessions on the continent of America to the north-west.

IV.—With reference to the line of demarcation laid down in the preceding article, it is understood—

1st. That the island called Prince of Wales's Island shall belong wholly to Russia.

2d. That wherever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia,

as above-mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of ten marine leagues therefrom.

V. It is moreover agreed, that no establishment shall be formed by either of the two parties within the limits assigned by the two preceding articles to the possessions of the other: consequently, British subjects shall not form any establishment either upon the coast, or upon the border of the continent comprised within the limits of the Russian possessions, as designated in the two preceding articles; and, in like manner, no establishment shall be formed by Russian subjects beyond the said limits.

VI. It is understood that the subjects of his Britannic Majesty, from whatever quarter they may arrive, whether from the ocean, or from the interior of the continent, shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean may cross the line of demarcation upon the line of coast described in article 3 of the present convention.

VII. It is also understood, that, for the space of ten years from the signature of the present convention, the vessels of the two powers, or those belonging to their respective subjects, shall mutually be at liberty to frequent, without any hindrance whatever, all the inland seas, the gulfs, havens, and creeks on the coast mentioned in art. III, for the purposes of fishing and of trading with the natives.

VIII. The port of Sitka, or Novo Archangelst, shall be open to the commerce and vessels of British subjects for the space of

ten years from the date of the exchange of the ratification of the present convention. In the event of an extension of this term of ten years being granted to any other power, the like extension shall be granted also to Great Britain.

IX. The above-mentioned liberty of commerce shall not apply to the trade in spirituous liquors, in fire arms, or other arms, gunpowder or other warlike stores; the high contracting parties reciprocally engaging not to permit the above-mentioned articles to be sold or delivered, in any manner whatever, to the natives of the country.

X. Every British or Russian vessel navigating the Pacific Ocean, which may be compelled by storms or by accident to take shelter in the ports of the respective parties, shall be at liberty to refit therein, to provide itself with all necessary stores, and to put to sea again, without paying any other than port and light-house dues, which shall be the same as those paid by national vessels. In case, however, the master of such vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall conform himself to the regulations and tariffs of the place where he may have landed.

XI. In every case of complaint on account of an infraction of the articles of the present convention, the civil and military authorities of the high contracting parties, without previously acting or taking any forcible measure, shall make an exact and circumstantial report of the matter to their respective courts, who engage to settle the same, in a friendly manner, and according to the principles of justice.

XII. The present convention shall be ratified, and the ratifications shall be exchanged at London, within the space of six weeks, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at St. Petersburg, the 16th (28th) day of February, in the year of our Lord 1825.

STRATFORD CANNING.

THE COUNT DE NESSELRODE.

PIERRE DE POLETICA.

ENGLAND AND AMERICA.

Opinion of the Emperor of Russia, with respect to the First Article of the Treaty of Ghent, entered into between Great Britain and the United States.

Having been requested by Great Britain and by the United States to pronounce an opinion as arbitrator, upon the differences which have arisen between those powers as to the interpretation of the first article of the treaty concluded between them at Ghent, December 24, 1814, the Emperor has examined into all the acts, statements, and notes, by which the respective plenipotentiaries have made known to the imperial department for foreign affairs the arguments which each party advances in support of his own view of the right interpretation of the said article.

After having maturely weighed the observations brought forward by each party; considering that the British and American plenipotentiaries have demanded that the discussions should be brought to a close; considering that the former, in his note of the 8th (20th) of October, 1821, and the latter, in

his note of the 4th (16th) of November following, have declared that it is *upon the construction of the text of the Article, as it is written*, that the arbitration is to be founded; and that neither of them have referred to the general principles of the law of nations and of maritime law, but as secondary considerations:—

The Emperor is of opinion “that the question is only to be decided according to the literal and grammatical meaning of the first article of the treaty of Ghent.”

With respect to the literal and grammatical meaning of the first article of the treaty of Ghent—considering that the paragraph, upon the meaning of which doubts have arisen, is couched in the following terms:—

“All territory, places, and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery, or other public property, originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property. And all archives, records, deeds, and papers, either of a public nature, or belonging to private persons, which in the course of the war may have fallen into the hands of the officers of either party, shall be, as far as may be practicable, forthwith restored, and delivered to the proper authorities and persons to whom they respectively belong.”

Considering that in this paragraph,

graph, the words "originally captured, and which shall remain therein upon the exchange of the ratification of this treaty," form an incidental phrase, which can only grammatically refer to the substantives, or to the matters which precede; that thus the first article of the treaty of Ghent does not prohibit the contracting parties from carrying away from those places, for the restitution of which it stipulates, any public property *but such as may have been originally captured therein, and which may have been actually there at the moment of the exchange of the ratifications*; but prohibits the removal from the said places of any private property whatever. That, on the other hand, these two prohibitions are applicable only to the places the restitution of which is stipulated for in the article:—

The Emperor is of opinion, "that the United States of America are entitled to claim from Great Britain a just indemnification for all private property which the British forces may have carried away, and as the question relates to slaves more especially, for all the slaves that the British forces may have carried away from the places and territories of which the treaty stipulates the restitution, in quitting these same places and territories.

"That the United States are entitled to consider as having been so carried away, all such slaves as may have been transferred from the above-mentioned territories, to British vessels within the waters of the said territories, and who, for this reason, may not have been restored.

"But that, if there should be

any American slaves who were carried away from territories of which the first article of the treaty of Ghent has not stipulated the restitution to the United States, the United States are not entitled to an indemnification for the said slaves."

The Emperor moreover declares, that he is ready to exercise the office of a mediator, which has already been tendered to him by the two powers, in such negotiations as they may be obliged to enter into, in consequence of the arbitration they have requested from his Imperial Majesty.

*Done at St. Petersburg,
April 22, 1822.*

Treaty between Great Britain and Colombia.

Art. I. There shall be a lasting, firm, and sincere alliance between the republic and people of Colombia, and the dominions and subjects of his Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors.

II. There shall be a reciprocal liberty of commerce between all the territories of Colombia and the territories of his Britannic Majesty in Europe. The citizens and subjects of the two countries respectively shall have liberty to go, freely and securely, with their ships and cargoes, to all those parts, ports, and rivers in the before-mentioned territories, where it is permitted or may be permitted for other foreigners to enter the same, and to remain and reside in any part of the said territories respectively: also to hire and occupy houses and warehouses for the purposes of their commerce: and generally the merchants and traders

traders of each nation respectively shall enjoy the most complete protection and security in their commerce, always being subject to the laws and statutes of the two countries respectively.

III. His Majesty the King of the United Kingdom of Great Britain and Ireland engages, furthermore, that the citizens of Colombia shall have the same liberty of commerce and navigation which has been stipulated in the foregoing article, in all his dominions situated out of Europe, as extensively as it is now permitted, or may hereafter be permitted, to any other nation.

IV. No other or higher duties shall be imposed on the importation into the territories of Colombia of any articles the natural produce, productions, or manufactures of the dominions of his Britannic Majesty; nor shall other or higher duties be imposed on the importation into the territories of his Britannic Majesty, of any articles the natural produce, productions, or manufactures of Colombia, than what are paid, or may be paid, for similar articles the natural produce, productions, or manufactures of any other foreign country; nor shall other or higher duties or imposts be levied in the territories or dominions of any of the contracting parties, on the exportation of any articles for the territories or dominions of the other, than those which are paid, or may be paid, for the exportation of the like articles for any other foreign country: nor shall any prohibition be imposed on the importation or exportation of any articles the natural produce, productions, or manufactures of the dominions and territories of

Colombia, or of his Britannic Majesty, either for or from the said territories of Colombia, or for or from the said territories of his Britannic Majesty, that are not equally extended to all other nations.

V. No other or higher duties or imposts shall be levied on account of tonnage, light-house dues, or port-fees, *pratique*, salvage in case of damage or shipwreck, or any other local expenses in any of the ports in the territories of his Britannic Majesty, on Colombian vessels, than the payments in the same ports by British vessels, nor in the ports of Colombia, on British vessels, than the payments in the same by Colombian vessels.

VI. The same duties shall be paid on the importation into the dominions of his Britannic Majesty of any articles the natural produce, productions, or manufactures of Colombia, whether that importation be made in British or Colombian vessels; and the same duties shall be paid on the importation into the territories of Colombia of any articles the natural produce, productions, or manufactures of the dominions of his Britannic Majesty, whether that importation be made in Colombian or British vessels. The same duties shall be paid, and the same discount and bounties granted, on the exportation of any articles the natural produce, productions, or manufactures of Colombia for the dominions of his Britannic Majesty, whether that importation be made in British or Colombian vessels; and the same duties shall be paid, and the same discount and bounties granted, on the exportation for Colombia, of any articles the natural produce, productions,

ductions, or manufactures of the dominions of his Britannic Majesty, whether that exportation be made in Colombian or British vessels.

VII. To avoid any misunderstanding with respect to the regulations which may respectively constitute a Colombian or British vessel, it is hereby agreed that all vessels built within the territories of Colombia, and belonging to a Colombian citizen or citizens, and whose captain and three-fourth parts of the mariners, at the least, are citizens of Colombia, except in such extreme cases as are otherwise especially provided for by law, shall be considered as Colombian vessels; and all vessels built within the dominions of his Britannic Majesty, and belonging to a British subject or subjects, and whose captain and three-fourth parts of the mariners, at the least, are British subjects, except in such extreme cases as are otherwise especially provided for by law, shall be considered as British vessels.

VIII. All merchants, commanders of vessels, and other citizens and subjects of the republic of Colombia and of his Britannic Majesty, shall have perfect liberty in all the territories of both powers respectively, to act for themselves in the management of their own affairs, or confide them to the management of whomsoever they may please, as broker, factor, agent, or interpreter, nor shall they be obliged to employ any other persons whatever for those purposes, nor to pay them any salary or remuneration, unless they wish so to employ them; and absolute liberty shall be given in

all cases to the purchaser and vender to contract and fix the price of any effects, merchandise, or manufactures, imported or exported from the territories of any of the two contracting parties, according as they shall themselves think proper.

IX. In all that relates to the lading or unlading of vessels, the security of merchandise, manufactures, and effects, the inheritance of moveable goods, and the disposition of moveable property of all kinds and denominations, by sale, gift, exchange, or testament, or in any other manner whatever, as also with respect to the administration of justice, the citizens and subjects of the two contracting parties shall enjoy, in their respective territories and dominions, the same privileges, liberties, and rights, as the most favoured nation; and there shall not be levied upon them on this account any higher imposts or duties than those that are paid, or may be paid by the citizens or subjects of the powers in whose territories or dominions they may reside. They shall be exempt from all compulsory military service by sea or by land, and from all forced loans or exactions, or military requisitions; nor shall they be compelled to pay any ordinary contribution, greater than what may be paid by the citizens or subjects of either power, under any pretext whatever.

X. Each of the two contracting parties shall be at liberty to appoint consuls for the protection of their commerce, to reside in the territories and dominions of the other party; but previous to any consul acting as such, he shall be

be approved and admitted, in the usual form, by the government to whom it may be sent; and any of the contracting parties can except from the residence of consuls such particular parts as either of them may think proper to except.

XI. For the better security of commerce between the citizens of Colombia and the subjects of his Britannic Majesty, it has been agreed that if at any time any interruption of their amicable commercial intercourse should unfortunately take place, or in case of any rupture happening between the two contracting parties, the citizens or subjects of either of the two contracting parties, resident in the territories or dominions of the other, shall have the privilege of remaining or continuing their traffic there, without any kind of interruption, so long as they shall conduct themselves peaceably, and shall not commit any offence against the laws; and such of their effects and property as may be already confided to private individuals, or to the state, shall not be subject to seizure or sequestration, or to any other demands other than what are made upon similar effects or property belonging to the citizens or subjects of the state in which they may reside.

XII. The citizens of Colombia shall enjoy throughout all the dominions of his Britannic Majesty, a perfect and unlimited liberty of conscience, and the exercise of their religion publicly, or privately in their own houses, or in the chapels or places of worship destined for that purpose, conformably to the system of toleration established throughout the dominions of his Britannic Majesty. In like man-

ner, the subjects of his Britannic Majesty, resident in the territories of Colombia, shall enjoy the most perfect and entire liberty of conscience, without being in any manner exposed to be molested, disquieted, or disturbed, on account of their religious belief, nor in the free exercise of their religion, provided it be performed in their private houses, and with the reverence due to the divine worship, respecting the laws, usages, and customs established. The subjects of his Britannic Majesty shall also have liberty of interment for such of them as die in the said territories of Colombia, in such places as they may deem fit and proper to establish for such purpose, with the consent of the local authorities; and the funerals or burial-places of the dead shall not be violated in any manner, nor on any pretext.

XIII. The government of Colombia engages to co-operate with his Britannic Majesty to obtain the total abolition of the slave-trade, and to prohibit in the most effectual manner all persons inhabiting the territories of Colombia from taking any part in such traffic.

XIV. And inasmuch as it is convenient and necessary to facilitate to the utmost a mutual good understanding between the two contracting parties, and to remove beforehand every kind of difficulty, and that other articles may be proposed and added to the present treaty, which, for the want of time and the pressure of circumstances, cannot now be drawn up with the proper precision, it has been agreed, and is hereby agreed, on the part of both powers, that they shall mutually endeavour, with the least possible

possible delay, to treat and agree upon the articles that may be found wanting in this treaty, and which may be judged mutually advantageous; and such articles, when they are agreed upon and duly ratified, shall form part of the present treaty of alliance, commerce, and navigation.

XV. The present treaty of alliance, commerce, and navigation, shall be ratified by the president or vice-president intrusted with the executive power of the republic of Colombia, with the consent and approbation of the congress of the same, and by his Majesty the King of the United Kingdom of Great Britain and Ireland; and the ratifications shall be exchanged in London within six months from the present day, or sooner if possible.

In testimony of which the respective plenipotentiaries have mutually signed and sealed these presents.

Given in the city of Bogota, the 18th day of the month of April, in the year of our Lord, one thousand eight hundred and twenty-five.

PEDRO GUAL.

PEDRO BRIGENO MENDEZ.

JOHN POTTER HAMILTON.

PATRICK CAMPBELL.

Additional Article.—Inasmuch as in the present state of the Colombian marine, it would not be possible for any Colombian to take the benefit of the reciprocity established in the fifth, sixth, and seventh articles of the treaty signed this day, if that part which stipulates that in order to be considered as a Colombian vessel, the vessel must have been really built in Colombia, it has been agreed

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that for the space of seven years, reckoned from the date of the ratification of this treaty, all vessels, wherever they may have been built, that are *bonâ fide* the property of one or more of the citizens of Colombia, and whose captain, and three-fourth parts of the mariners, at the least, are also Colombian citizens, except in those cases especially provided for by law, shall be considered as Colombian vessels, his Majesty the King of the United Kingdom of Great Britain and Ireland reserving to himself the right, at the end of the said term of seven years, to enforce the principle of mutual restriction stipulated in the seventh article above referred to, if the interests of the British shipping should be injured by the present exception of that reciprocity in favour of Colombian vessels.

The present additional article shall have the same force and validity as if it had been inserted, word for word, in the treaty signed this day: it shall be ratified, and the ratifications exchanged at the same time.

In faith of which the respective plenipotentiaries have severally signed and put their seals to it.

Given in the city of Bogota, the 18th day of the month of April, in the year of our Lord one thousand eight hundred and twenty-five.

(Signed as above.)

Treaty between Great Britain and the United Provinces of South America.

Be it known, the treaty of friendship, navigation, and commerce, having been concluded, in due form, on the 2d of this month

of February, by Don Manuel Jose Garcia, plenipotentiary of the United Provinces of Rio de la Plata, and Mr. Woodbine Parish, plenipotentiary of his Britannic Majesty, the following is a true copy of the same.

An extensive commerce having existed for many years between the dominions of his Britannic Majesty and the united provinces of Rio de la Plata, it seems advisable, for the safety and promotion of the said commerce, and the consolidation of good understanding between his Majesty and the said provinces, that these existing relations should be formally recognized and confirmed by a treaty of friendship and navigation. With this view, they have named for their respective plenipotentiaries, viz. his Majesty the King of Great Britain, Mr. Woodbine Parish, his Majesty's consul-general at Buenos-Ayres; and the United Provinces, Don M. Jose Garcia, minister for foreign affairs, &c. who, having exchanged their full powers, have agreed on the following articles:—

I. Stipulates perpetual friendship between the dominions and subjects of the two parties.

II. Reciprocal freedom of trade, on the same footing as any other foreign subjects.

III. His Britannic Majesty agrees that in all his dominions in Europe, and other parts of the world the inhabitants of the United Provinces shall enjoy the freedom of trade stipulated in the preceding articles, to the whole extent that it is now permitted, or may be permitted in future, to any other nation.

IV. No article of the produce or manufacture of either party shall

be subjected, in the dominions of the other, to higher duties than similar articles from other foreign countries; nor shall any prohibition to export or import any articles of produce or manufacture, from or into the respective dominions, be imposed, unless such prohibition include the same articles of other countries.

V. Vessels of above 120 tons of either party shall not pay any tonnage, light-house, pilotage, salvage, or other local duty, in any of the ports of the other party, higher than the national vessels of the country to which the port belongs.

VI. Articles of the produce or manufacture of either party shall pay the import duties in the ports of the other, whether they are imported in the ships of Great Britain or of the United Provinces; and the same bounties, allowances, and drawbacks shall be paid on the exportation of such articles of produce or manufacture from either country, whether exported in British ships or those of the United Provinces.

VII. To prevent misunderstandings, it is stipulated that all ships built in his Majesty's dominions, which are owned, manned, and registered according to the laws of Great Britain, shall be considered as British ships; and that all vessels built in the territories of the said provinces, duly registered, owned by citizens of the same provinces, or of any one of them, whose captain and three-fourths of the crew are citizens of the said provinces, shall be considered as vessels of the United Provinces.

VIII. Every merchant, commander of a ship, and other subjects

jects of his Britannic Majesty, shall enjoy, in all the territories of the United Provinces, the same liberty as the natives to manage his own affairs, to confide them to whoever he pleases as his factor, agent, or interpreter, without being obliged to employ or pay for that purpose any persons whatever, unless he thinks fit to employ them; the buyer and seller to have at all times full liberty to contract and fix at their pleasure the price of all effects, merchandise, &c. imported into or exported from the said United Provinces.

IX. In all points relative to the unloading of vessels, the security of merchandise and effects, the disposal of property of every description by sale, donation, exchange, or other mode whatsoever, as well as to the administration of justice, the subjects of the contracting parties shall enjoy respectively in the dominions of each other the same rights, privileges, and franchises, as those of the most favoured nations. They shall not pay higher duties in taxes than the subjects of the state in which they reside; they shall be exempt from all military service whatever, either by sea or land, from all forced loans, exactions, or military requisition; nor shall they be obliged to pay any ordinary contributions under any pretext greater than the natural subjects and citizens of the other party.

X. Each of the parties may appoint consuls as usual, who shall not exercise their functions till duly approved by the government to which they are sent, and either party may except to the residence of consuls in such particular places as it may please to except.

XI. For the greater security of commerce between the subjects of the contracting parties, it is stipulated that in case of any unfortunate interruption of the amicable relations of commerce, or a breach between the two parties, the subjects and citizens of each residing in the dominions of the other shall have the privilege of remaining and continuing their trade, without any interruption, so long as they behave peaceably, and do not in any way offend the laws, and their effects and property, whether confided to individuals or to the state, shall not be subject to embargo or sequestration.

XII. The subjects of his Britannic Majesty, residing in the United Provinces of Rio de la Plata, shall not be disturbed, persecuted, or molested on account of their religion, but they shall enjoy a perfect liberty of consciences in them, celebrating divine worship in their own houses, or in their own particular churches or chapels, which they shall be authorized to build and maintain in convenient situations, which shall be approved of by the government of the said United Provinces; it shall also be permitted to bury the subjects of his Britannic Majesty, who shall die in the country of the United Provinces, in their own cemeteries, which they may in like manner form and maintain there. On the other hand, the subjects of the said United Provinces shall enjoy in all the dominions of his Britannic Majesty, a perfect and unlimited freedom of conscience, and the exercise of their religion, public or private, in the houses where they reside, or in the chapels and religious houses destined for that purpose, conformably to the system

tem of toleration established in his Majesty's dominions.

XIII. The subjects of his Britannic Majesty residing in the United Provinces may freely dispose of their property of every description in whatever form they please, or by will, as they think fit; and if a British subject should die in the United Provinces without a will or disposition of his property, his Majesty's consul-general, or, in his absence, his representative, shall be authorized to appoint guardians, who shall take care of the property for the lawful heirs and creditors, without any interference, giving notice to the authorities of the country, and reciprocally.

XIV. His Britannic Majesty, anxiously desiring the abolition of the slave-trade, the United Provinces of Rio de la Plata engage to co-operate with his Majesty in accomplishing so beneficial a work; and to prohibit all persons residing in the United Provinces, or subject to their jurisdiction, in the most effectual manner, and by the most solemn laws, from taking any part in the said traffic.

XV. The above treaty shall be ratified, and the ratification exchanged in four months, or sooner, if possible.

In testimony whereof the said plenipotentiaries have hereunto set their hands and seals.

Done at Buenos Ayres, the 2d of February, in the year of our Lord 1825.

(L.S.) M. J. GARCIA.
(L.S.) WOODBINE PARISH.

We, Juan Gregorio de las Heras, captain-general and governor of the province of Buenos Ayres, charged with the supreme execu-

tive power of the United Provinces of Rio de la Plata, now assembled in congress, having, in conformity with the fundamental law of the 23d of January, 1825, communicated the said treaty to the constituent congress for its assent, and having obtained its full powers and approbation to ratify and confirm the said treaty, by this present act we ratify and confirm it in due form, promising and engaging, in the name of the said United Provinces, that all the stipulations and obligations in the same shall be sacredly and inviolably fulfilled.

In testimony whereof, we sign with our hand the present instrument of ratification, and have caused it to be attested by our minister of war and marine, solemnly sealing it with the national seal at Buenos Ayres, the 19th of February, in the year of our Lord 1825.

JUAN GREGORIO DE LAS HERAS.
FRANCISCO DE LA CRUZ.

Speech of the King of France on opening the Royal Sitting of 1825:—

"Gentlemen, — The first wish of my heart is to speak to you of my grief and yours. We have lost a wise and good king, tenderly beloved by his family, venerated by his people, honoured and respected by foreign governments: the glory which the nation has acquired under his reign will never be effaced. Not only has he restored the crown, but he has consolidated it by institutions which, comprehending and uniting the past and the present, have restored to France tranquillity and happiness.

"The affecting sorrow which the whole nation felt in the last moments of the king, my brother, was to me the most soothing consolation; and I say it with truth, that it is to that alone I am indebted for having been able fully to enjoy the confidence with which my accession to the throne has been hailed.

"This confidence, gentlemen, will not be lost. I know all the duties of royalty. My efforts, my love for my people, and, I trust, the aid of God, will give me the courage and firmness necessary to fulfil them properly.

"I announce to you with pleasure, that the dispositions of foreign governments have not undergone any change; they leave no doubt of the preservation of the friendly relations that exist between them and me.

"The spirit of conciliation and prudence which animates them, gives to nations the strongest guarantees they have ever had to check the scourges which have so long desolated them.

"I shall neglect nothing to maintain this happy agreement, and the peace which is the consequence of it. It is with this view that I have consented to protract the stay in Spain of a part of the troops that my son had left there, after a campaign, which as a Frenchman and a father, I may call glorious.

"A recent convention has regulated the condition of this temporary measure, which is calculated to conciliate the interests of the two monarchies.

"The just security which we derive from our external relations will favour the development of our internal prosperity. I will

second, gentlemen, these salutary movements, by causing those ameliorations which the interests of religion require to be successively proposed to you.

"The king, my brother, experienced great consolation in procuring the means to close the last wounds of the revolution. The moment is come to execute the wise plans which he had conceived. The situation of our finances will permit us to accomplish this great act of justice and of policy, without augmenting the taxes, without cramping the different parts of the public service.

"For these results, we are indebted to the order established by your concurrence, to the fortune of the state, to the peace which we enjoy.

"I entertain the firm conviction that you will enter into my views, and that this act of reparation will be performed with great harmony of will between my people and me.

"I intend that the solemnity of my coronation shall terminate the first session of my reign. You will be present at that august ceremony, and in the presence of him who judges nations and kings, I will take the oath to maintain the institutions granted by my brother.

"I thank Divine Providence for having deigned to make use of me to repair the last misfortunes of my people, and I conjure it to protect this beautiful France which I am proud of governing."

—
Speech of the King of the Netherlands on opening the States General.

"High and Mighty Sirs,—The marriage of my second son has taken place since your

last meeting. His excellent spouse has been most cordially received by my subjects, and this happy circumstance has greatly augmented the happiness of my house.

"I continue to receive from all foreign powers the most indubitable assurances of friendship. The hope of more firmly strengthening those reciprocal feelings of amity presents itself through the medium of commercial treaties, of which the necessary negotiations will be conducted with all the care with which the desire of promoting the good of my people can inspire me. With the same view I have issued orders for facilitating the commerce of my subjects in all parts of the world.

"The late exhibition of works of industry at Haarlem produced a display no less flattering to national pride than gratifying and honourable to the industry of my people, and satisfactory in regard to the general good of the nation. All the productions which luxury as well as the common wants of life can require were there collected, and there could the Netherlander convince himself that in that respect he need not envy any other people.

"The general attention is directed to the opportunity which the nature and position of many countries afford to the development of our national industry, through which I hope she will see the channels for the fruits of our industry, and our lands, multiply, which the plans of the trading company has already begun to open.

"The spirit of forming associations, so advantageous to great undertakings, has spread itself

more and more, and has extended its influence to the most useful objects; the devoting of considerable capitals to ship-building has given a new life to our docks, and has occasioned the laying down of innumerable keels.

"The salt herring fisheries, which have for many years been a losing concern, will, from all appearances, prove most profitable for this last year.

"But with regard to the Greenland and Davis' Straits fisheries, my Netherlanders will, I fear, participate in the general unfavourable result common to all who have this year undertaken them.

"Schools for instruction are now almost universally established throughout the kingdom, and have in many instances shown their utility, especially those of recent establishment.

"The universities have lately been much improved and enlarged, and have in many branches of learning had additional facilities afforded for the attainment of knowledge, and they now furnish the most liberal means for the study of the various sciences. One institution, devoted to the wants of my Roman-catholic subjects, will afford to the young people appointed to study for the church the opportunity of obtaining that knowledge which the present state of civilization requires; and I hope I may promise myself the best consequences to the honour of that church in my kingdom.

"Through the beneficence and liberality of the nation, through the strenuous co-operation of your High Mightinesses, and through the praiseworthy exertions

tions of the authorities and officers, I am happy to say that the disasters which were caused by the late floods are already materially repaired, and the dikes will soon be placed in a state of security against the weather.

"The commissioners who were appointed by me to examine the best courses for rivers have fulfilled their very important task, and will ere long lay before me the result.

"The formation of new plans of improvement is carried on with vigour.

"The plan adopted for the prisons develops itself more and more, and will soon be established.

"The regulations respecting the meetings of Provincial States, and the government of cities, and of country places, have undergone an investigation. The dispositions in those regulations, which concern the right of voting, and the qualifications to take part in the provincial and local government, were, by the end of the tenth year, after the notice of our fundamental law, to be a part thereof; it was therefore of importance to introduce those improvements which experience has shown to be desirable as early as possible.

"Our foreign possessions are the subject of my peculiar attention; and my endeavours have been particularly directed to the furthering of their internal prosperity, in order to render them of the utmost advantage to the Netherlands and its industry. The expenditure in several of those possessions has, in consequence of wars and expensive measures in their government, been augmented to too great an amount, which has produced un-

favourable consequences in the condition of the finances. I have adapted measures to moderate them, and have further considered it prudent to send a special commissioner thither, in order that the orders already given for economy in the expenditure should be most strictly observed. There is ground to hope that the injurious consequences already mentioned will soon be remedied. It will, nevertheless, be necessary that the mother country should, by means of its credit, come to its support, and I hope that I may reckon on the co-operation of your High Mightinesses.

"The various branches of the revenue have, taking them in general, been completely competent to our wants.

"The late alterations in the indirect taxes have answered to all expectations in the increase of their produce, independent of the real relief which has thereby been secured to commerce and agriculture. All difficulties in the collecting of the personal taxes and excise have, as is seen from experience, almost completely vanished. They were, at the introduction of the new plan, unavoidable; the doing away with them has, nevertheless, been the subject of my most anxious cares; it is with that intention that, after having consulted the states of the provinces, and having made use of the power given me by law, I have more generally introduced the farming of the excise on the grinding of corn; the manner in which this arrangement has been received, give grounds for supposing, that it will, in all respects, fully answer the objects I have in view.

"It is most satisfactory to me that I am not obliged to lay before your High Mightinesses a more unfavourable statement of the finances of the kingdom, notwithstanding the extraordinary expenditures which are the necessary consequence of the disasters which beset us at the beginning of the year. The accounts of the revenue, which will, ere long, be laid before your assembly, are such as will justify me in giving a further relief to my beloved subjects by reducing the taxes.

"The operations of the sinking fund will, without doubt, in a short time further the possibility of completely liquidating the national debt.

"The Netherlands Mint supply is regular.

"The calling in, and the putting out of circulation, of the French coins, are brought to a close, by the last regulations, without on any point having given real cause for complaint.

"The issuing of new coins goes on steadily; and, for the greater convenience of common use, and much wishing it, I propose to lay before you a plan for increasing our series of gold coins, by adding one additional kind.

"The industrious application of the States' commission to the framing of the National code of law, will afford me an opportunity of again laying before your assembly an important measure of legislation.

"Several other subjects will require the attention of your High Mightinesses during your present sitting. I open it with the persuasion that it will not in any degree tend less to the good of the country than former sessions.

I experience the most heartfelt satisfaction at the manner in which our countrymen confide with true love in us, and support the throne of the Netherlands; and thus supported, High and Mighty Sirs, our united efforts, under the support of God, and the continued blessing of peace, cannot fail to promote the glory of our beloved country."

The king then left the chamber, being led out by the commissioners appointed for the occasion.

The assembly was shortly after dismissed by the President.

Message of the Vice President of Colombia in charge of the Government, to the Congress of 1825.

Fellow Citizens of the Senate and Chamber of Representatives.—

This is the precise day appointed by our constitution for the assembly of the representatives of the republic, in order that they may exert themselves for the happiness and prosperity of their constituents. If, in the two former sessions, congress assembled at a later period than is provided for by the constitution, owing to causes which are inherent in infant societies, (although the enemies of the republic have affected to overlook them) the present assembly will convince them, that, with the progress of time, we approach nearer to the exact observance of constitutional principles. I must congratulate Colombia and yourselves on an event which gives stability to the political system, and hopes of the most happy results from the present session. It is with the greatest pleasure that the executive is about to fulfil its duty, and contribute to this favourable

issue, by giving you an accurate idea of the state of the affairs of the republic, in the various branches of its administration.

The government of his Catholic Majesty, far from abandoning its former pretensions to the sovereignty of these countries, as justice, experience, and the ruin of the Spanish nation would counsel, still labours to advance its hostile views, without affording the slightest hope of reconciliation. The executive has reason to think that the cabinet of Madrid is well aware of a conciliatory disposition on our part, and of our desire to terminate a war which, during fifteen years, has involved both nations in so many evils. The earnestness, however, with which the executive has sought peace with Spain, on the basis of independence, has not caused its vigilance to slumber. Congress may be assured that our means of defence are at the present moment abundant, and that any enterprise on the part of Spain against the republic will only serve to add lustre to our arms, and to increase the humiliations of Spain.

Our relations with the American governments subsist on a footing of friendship and good understanding becoming states sustaining a common cause. The services and supplies which we have rendered to Peru have so materially altered the situation of that country, that no doubt can exist of its acquiring liberty and independence. The liberator and president of Colombia has displayed on this occasion, even more than on former ones, those virtues which are peculiar to illustrious men, and to which the Colombian republic owes its exist-

ence. Surrounded with difficulties almost insurmountable—obliged to contend with enemies who, to numerical superiority, united the confidence inspired by victory—fettered by disasters brought on by rashness, weakness, and perfidy—doubtful of receiving in time the fresh succours which the congress had so promptly decreed—the liberator has triumphed over all these obstacles, and, aided by the patriotism of those Peruvians who remained faithful to their duty, and by the valour of the united army, has liberated an important part of the vast territory previously possessed by the Spanish troops, after inflicting on them a severe humiliation in Junin. The executive has every hope that the auxiliaries which left Panama for Peru in October, have arrived at an opportune moment; and that, by extending the scene of operations, they will consolidate the advantages already gained, accelerate the day of Peruvian liberty, and irrevocably fix the destiny of South America. This new glory was reserved for Colombia, and for you the satisfaction of having contributed thereto by all the means in your power, and, more especially, by having permitted the liberator to leave the territories of the republic. In conformity with the resolution of the legislature, I have not ratified the convention respecting territorial limits entered into between Colombia and Peru. Notwithstanding the importance of this measure, the executive has abstained from renewing the negotiations, under an impression that we ought to give an example of good faith and generosity, by suspending all discussion thereon whilst

whilst the Peruvian republic shall be occupied by the troops of Colombia.

The republic of Mexico has just given a terrible lesson to usurpers of the rights of the people. General Iturbide violated the law which banished him, and landed on the Mexican territory under circumstances which alarmed the government. He was declared a traitor deserving death by act of congress, and the penalty was inflicted without opposition. It seems evident that the Mexican government has, by this measure, made an important stride towards stability and prosperity. Recent intelligence from that part of America states, that the most energetic and extraordinary measures are taken to defend its independence against the views of Spain, and to compel those towns that disregard the pact of union to return to their duty.

The provinces of Guatemala continue to preserve unmolested the sovereignty into which they spontaneously elected themselves. An accredited minister from that government to the republic is now residing in our capital. A favourable opportunity, therefore, presents itself of settling points of great interest. The establishment of limits between Colombia and Guatemala is imperiously called for, in consequence of certain foreigners pretending to a right to the coast of Mosquito, and inasmuch as the interior boundary-line between the countries is not ascertained. The executive, in strict compliance with the law of the 12th of July of the year 1821, has declared, that that part of the Atlantic coast which extends from

Cape Gracias a Dios to the river Chagres belongs to the republic, and that all colonisation made therein without the sanction of the government and laws of Colombia is null and void. I submit this decree to your judgment, as well as the arguments I have adduced in defence of the integrity of the territory of the republic and its rights, and in order to frustrate the views of our enemies.

The agitated state of the Brazilian empire has not yet enabled us to form relations of friendship and good understanding with that government, with which we have likewise to arrange questions regarding territorial limits. We are assured of the good disposition of the Emperor towards Colombia; and, on our part, we have avoided all cause of complaint and dissension. When the moment shall arrive for negotiating with the Brazilian government, the executive will not fail to observe that frankness and good faith which form the basis of its principles, by conforming to the last territorial treaty made between Spain and Portugal, in Madrid, in 1777.

With the United States we maintain the most friendly and cordial relations. The treaty of peace, friendship, navigation, and commerce, celebrated by the executive with those states, through the medium of duly authorised plenipotentiaries, will be forthwith laid before you. The principles we have therein adopted are so commendable in their nature, as to render all eulogium superfluous. Never has the government of Colombia appeared more attached to that spirit of civilization and humanity which ought to distinguish the

the governments of free people, than in this treaty. Colombia will have the laudable pride of having been the first among the states of ancient Spanish America, to appear before the world united by public treaties with the most favoured nation of liberty. You will also examine the convention entered into with these states, for the purpose of putting an end to the horrible traffic in negroes of Africa. Our laws have already forbidden this execrable traffic, and the executive has formed its conduct on their basis. The law of the 21st of July of the year 11, has forbidden the introduction of slaves; and the provisional cruising ordinances condemn as lawful prizes all vessels trading in African negroes, that may be captured in the waters within the jurisdiction of the republic; but no penalty being awarded for the violation of this law, and it being a justice due to the human race to modify our cruising laws, the executive thinks that these objects have been obtained by our convention with the United States.

To convey a correct idea of our relations with Europe, I deem it incumbent on me to deal frankly, by entering on a detail which will give you this information, and at the same time demonstrate to the world the political principles of the government of Colombia. The commissioners of his Britannic Majesty in this capital requested that the executive would issue the *exequatur* necessary for the recognition of the consuls sent by the king to some of our ports. As no commissions accompanied this application, as is usual and customary, the executive was under the painful necessity of deferring the

exequatur until these commissions should be duly presented by the several parties, relying on their being framed in the terms usual amongst nations. As soon as the person on whom the title of consul-general had been conferred arrived in this capital, he presented his commission, assuring the executive, at the same time, that the commissions of the consuls of La Guayra, Maracaibo, Cartagena, and Panama, were conceived in the same terms. The commission makes mention of the provinces of Colombia, instead of the *Republic of Colombia*, by which latter title it was determined by our fundamental laws that this country should be known since the year 1819; and the consuls are therein accredited to the authorities that might happen to be established, instead of being accredited to the executive power, or president of the republic, as they ought to have been, agreeably to the principles of public right, to our constitution, and to the conduct observed by the United States. The executive considered these errors as a necessary consequence of that state of ambiguity and practical difficulties in which the English government found itself placed, in treating of the recognition of the independence of Colombia, as was stated to parliament by the ministers of his Britannic Majesty's government: for, in reality, it would have been a manifest contradiction to have accredited consuls to the ports of Colombia in the usual terms, and as the rights of nations demand, without recognizing the independence and existence of the government from which it sought the admission of these officers.

The executive did not hesitate in adopting the line of conduct most conformable with the dignity of the republic, and serviceable to the interests of the British nation. Placed in the painful situation of deceiving the republic, by illegally recognizing as duly accredited consuls, persons who did not come recommended to the government of Colombia, and who did not appear destined to the ports of the republic, I did not hesitate to refuse the *exequatur* to their nominations, and caused to be explained to the commissioners of his Britannic Majesty the powerful motives I had for adopting this resolution, assuring them at the same time, that in order to give fresh proof of friendship and goodwill towards the British government and people, I would permit the persons appointed to these consulships to protect the commerce and interests of English subjects in the capacity of agents for the protection of sailors and commerce. The commissioners accepted these terms with pleasure, without refuting the strong arguments on which my denial of the *exequatur* was grounded. If the congress will call to mind, that in my former message I pledged myself that in the course of the negotiation about to be opened with the commissioners of his Britannic Majesty, I would not lose sight of the dignity of the government, and the interests of the Colombian people, it will perceive by the present statement, that I have strictly redeemed my pledge. Public right does not recognize the admission of consuls as a bounden duty from one nation to another. The obligation so to admit them arises solely from treaties or conventions

celebrated between the parties, or from a state of peace and friendship between nations whose independence is reciprocally admitted. This principle, which the English government itself has lately observed towards the consul-general of Buenos Ayres in London, would have authorised the executive to withhold the *exequatur*, even had the commissions of the consuls been addressed to the republic and government of Colombia. Since this occurrence nothing has transpired in furtherance of the recognition of our independence. The government of his Britannic Majesty makes this event to depend on circumstances peculiar to the interests of Great Britain, and on the nature of the information it may receive from its respective commissioners. But if the government of his Britannic Majesty be guided by the feeling of the English nation, and that the information given respecting the state of Colombia be dictated by justice and impartiality, we may presume that this important decision on the part of the King of the United Kingdom of Great Britain and Ireland is at hand.

The commission of the King of the Low Countries has had the same issue. Mr. Quartell arrived in this capital with powers from the governor and rear-admiral of the island of Curaçoa, issued in virtue of positive orders from his government. The commissioner gave us assurances of the favourable sentiments of the King of Holland towards the republic of Colombia, and of his desire to establish and cultivate such relations of friendship and commerce as might be useful to both parties. The executive accepted these demon-

strations with gratitude, and, in like manner, gave assurances of the same sentiments towards the kingdom of the Low Countries. The commissioner required the *exequatur* for the consular commissions issued by the governor and rear-admiral of Curaçoa, which the executive denied, on the plea that the nomination to these offices rests with the government from whence they proceed, and not with its subordinate authorities. But as it was necessary to give the Dutch government a proof of the sincerity of our protestations of friendship, I permitted the persons appointed to these consulships to exercise the office of commercial agents, the same as if this informality had not been observed.

The executive has sought, by these means, to reconcile the respect due to the rights of nations and its own dignity and honour, with that friendship and harmony which we owe to friendly nations who seek an understanding with us, on behalf of their people, and of universal peace.

The superior authority of Hayti has also accredited to the government of Colombia a public agent, who proposed to celebrate and conclude a treaty of defensive alliance with us, against all invaders of either territories. The language of liberty displayed in the propositions of this agent, and the private services which the liberator and president received from the humane and sensible Petion, at a calamitous moment, did not blind the executive to the conduct it had to observe in this most delicate negotiation. Hayti had defended its independence against the pretensions of France, of which

it formed part, as Colombia now defends hers against those of Spain. A defensive league with Hayti would have subjected us to a war with a nation against whom we have no complaint, and whom we ought not to provoke to hostilities. The interest of the republic consists in diminishing the number of its enemies, whilst the proposed treaty would have increased them, and have taken place precisely under circumstances when the Spanish government is making every effort to compromise France in the war with America. Never can the interests of Hayti and Colombia be identified with respect to their ancient metropolises. A sympathy, indeed, prevails in this particular between Colombia and those states of America which formerly depended on Spain, and it is on this account that the government of the republic has promoted and concluded a confederation among the new American States. The treaties existing between these and ourselves, prevent us, by their very nature, from entering into alliances with countries which have not belonged to the Spanish nation; and a defensive alliance with Hayti would arouse a new enemy against our allies without their knowledge or consent. You know, gentlemen, that the eastern part of the island of St. Domingo belonged to France, in virtue of the treaty of Basilea, and that it was afterwards restored to Spain by the treaty of Paris; that in the year 1822 the inhabitants of St. Domingo proclaimed their independence; that in the last days of their political existence they raised the Colombian standard; and that the Chief of Hayti has reduced this territory to his dominion, for rea-

sons that are not accurately known although its fundamental law is urged as a pretext. It does not seem that the conduct of the president of Hayti ought to draw on him the enmity of Spain, which is the only nation with which we are at war; because, when the authorities of Hayti occupied that part of the island which was formerly Spanish, they did not take possession of a Spanish territory, but of an independent country, which had manifested a wish to place itself under the protection of Colombia. All these considerations have induced the executive to refer the proposition of the Haytian agent to the united assembly of the plenipotentiaries of the American governments. France and our allies will observe in this upright proceeding the principles and good policy of the Colombian government: the former, especially, must perceive that we act with sincerity and good intentions, in the steps we have taken to incline his Most Christian Majesty in favour of the republic, and that we do not attribute to the French government the suspicious and treacherous conduct displayed by those persons who arrived here in the frigate *Tarm*, and whose voyage seems to have had for its object a visit to the country merely to pry into the state of our affairs.

The tranquillity enjoyed by the republic has enabled the executive to make arrangements for the extension of the new method of instruction in the first rudiments of learning, for increasing the number of scholars, establishing new professorships, and reforming some colleges which still languished under the ancient colonial system of education, and the horrors of

the war. The progress of public education must necessarily be slow, whilst the funds of the colleges continue so small as they are at present; and perhaps we might mistrust the benefit of the establishments that have been founded, did we not observe the youth of the country eager to learn, and the teachers devoting themselves to public instruction, without other incentive than their own zeal and respect for their characters. I hope that, in the course of this session, time will be found for digesting a general plan of study, the want of which is every day more sensibly felt.

The project of laws for the political and judicial administration of departments, which were laid before the executive at the close of the last session, will be returned to you, with such objections thereto as seem to me expedient. I will not assert that such objections will render these important laws perfect, but your intelligence, and the time that will be afforded you for their deliberate discussion, inspire me with a confidence that your labours will make them so, and that their utility will be acknowledged throughout the republic. The executive is persuaded that these two laws will correct the errors which exist in the government of departments, and will partially improve the administration of justice, by making it a positive and substantial blessing to the people, who complain with much reason of the extensive jurisdiction embraced by the only three tribunals of appeal which we possess, and of the circumscribed power of the municipalities. But that this blessing may be rendered complete, it is absolutely necessary to

issue a law respecting the revenues of corporation lands, since the health, convenience, and ornament of our towns, the state of the roads, and the facilities of communication, require certain funds, without which, the municipalities will be mere ciphers in the state.

I may state to you, that in general no unfavourable change has occurred in the progress and regularity of the constitutional regime. The authorities daily respect our institutions more and more; and the citizens enjoy the free privilege of demanding the fulfilment of the laws. It would, indeed, be a phenomenon in politics, if an infant society like ours could arrive at its height of prosperity without obstacles and slight oscillations. Colombia has still to experience the effects of the wanderings of ignorance and the incessant intrigues of our enemies; although it is true, that neither can impede her advance to that point at which she must one day arrive. The disturbances in Pasto, which, from the nature of the country, and the character of the people, threatened to be of long duration, have subsided; and the government has visited them with as much indulgence as was compatible with public security. That activity and vigilance which suffocated this germ of disunion, will do the same on all occasions where deluded persons suffer themselves to be seduced into the commission of disorders. The people desire to live in peace under protection of the laws, and whilst they themselves take charge of the public tranquillity, and support our institutions, the republic will enjoy internal quiet, and the standing army will have fewer duties to discharge.

Our internal commerce requires some regulations, in order to suppress the abuses committed by our sailors, and to protect navigation; and our commerce carried on with the coasts inhabited by wandering tribes, requires some special laws, in order to spare the executive those embarrassments which it has experienced in this particular of late years. I require from congress a law denying letters of citizenship to individuals of any nation with whom the republic may be at war. This is a law to be found in the code of a nation that may be truly called free, and any demonstration of its necessity appears to me superfluous.

The exhaustion of the national treasury will continue to be sensibly felt whilst the payment of arrears falls on the annual revenues, and the system continues to prevail of not fixing the public expenses, and providing correspondent funds for meeting them. To those causes of fiscal embarrassment may be added at present, the necessity we have been under of increasing the standing army, with a view of opposing a vigorous resistance to the hostile undertakings of Spain. I cannot give you an accurate idea of the improvement that has been made in the treasury department, in virtue of the laws issued in the last session, owing to the short period that has elapsed since their publication. The executive has given that tone and impulse that were so essentially wanted in the general administration, the custom-houses, and treasuries of departments, always consulting, however, the strictest economy. I hope that in the course of the present legislature, you will digest a systematic arrangement

arrangement of the tithe rents, a reform in the law of direct contribution, and such other objects as the executive will point out to you in virtue of the privilege it derives from the constitution to that effect.

The various and unpleasant questions that were agitated regarding the loan of March, 1822, have been set at rest in a manner satisfactory to the parties, and honourable to the republic. For this purpose, the executive had recourse to the powers granted by you in the act of the 1st of July, 1823, and the result shall be in due time laid before you. The congress must be highly gratified in learning that our conduct in this transaction has met with the general approbation of those respectable persons in foreign countries who were best able to appreciate the difficulties which enveloped it.

I shall likewise give you a most circumstantial account of the mode and the terms on which the loan decreed on the 30th of June of last year has been raised. To those who are acquainted with the histories of other nations, the conditions of this loan have appeared highly favourable. The executive has observed, that its agents have confined themselves to the instructions they received on leaving the capital: their operations have been conducted under the eye and direction of the Colombian minister in London, and the conduct of this public functionary has obtained the applause of all who have observed him narrowly. It has been a source of great satisfaction to the executive, that the new loan was not negotiated until the question of the old one had been satisfactorily disposed of: and the con-

sequence was, that the former was contracted under most favourable circumstances, which, by having been taken advantage of at the moment, saved us from the burdensome conditions to which we must, otherwise, have submitted. You will examine the documents which will be presented to you with accuracy and discretion, and you will receive all the necessary information thereon from the secretary of the treasury, since in this examination are comprised the interests of our constituents, the honour of the government, and the good faith of the republic. I can congratulate myself, by anticipation, with the assurance that the congress and the nation will be well pleased with this transaction.

It is essential to the public prosperity and national credit, that you employ a portion of your labours in funding the national debt. Every year that passes accumulates fresh embarrassments in this particular for the succeeding ones. The debt embraces various periods, objects, and creditors, without a proper classification of each. You know well that it is absolutely necessary that a classification of those periods be made, as well as provision for the punctual payment of the interest, and the gradual extinction of the principal. Although a law on this subject was passed last session, you will agree with me in thinking that it is imperfect and informal.

The standing army continues to give proofs of its obedience to the laws. Although no enemies are to be found within the republic with whom to contend, it has remained on the war footing required by the state of European politics. The executive has carried into

effect so much of the law which provided for the levying 50,000 men as was necessary in order to reinforce the auxiliary army of Peru, to cover the coast departments, and to organize several corps of reserve in the interior.

Orders have been given for forming the national militia throughout the country, on the principle laid down by the congress of Cucuta; insomuch that several corps of citizens, who recognize the defence of the country as their first duty, are now added to our battalions. You will examine the provisional decrees which the executive has issued for the due observance of the law on this subject, and will establish a permanent system for the national militia in all the branches and objects of its organization. These measures, and the abundant elements of war which we possess, have placed the republic in a condition to present itself armed at all points, in defence of its liberty and independence.

Our naval force is undergoing that improvement and increase which, in our immediate circumstances, it requires. The Colombian flag has made itself respected throughout the seas; and where it has encountered that of Spain, it has left a monument of the superiority which it derives from the valour of its sailors. The executive has adopted measures for fixing the strength of our navy, as well on our rivers and coasts as on the high seas, and for laying aside such vessels as occasion immense expenses, without being of the slightest service. Little, however, can be done in this department, unless education be encouraged among our naval officers, and until the laws to which I have elsewhere

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referred be enforced. Naval instruction is taught in Carthagena and Guayaquil, as far as the small funds which the executive can supply for this purpose will permit; but it can make but little progress until warmly protected by congress. Having already represented the state of the army to congress in my former messages, pointing out such laws as appeared to me necessary and just, I shall content myself with naming the subject, in the hope that during the present session you will take this interesting object into your consideration.

Such is the state of our republic in the various branches of its administration; possessing friendship and good intelligence with American and foreign governments; regularity in its conventions and treaties; order and tranquillity at home; respect and submission to the laws; free exercise of the liberty of the press; the dissemination and advancement of public education; well-founded hopes of improvement in the state of our treasury; an army covered with laurels, and zealously devoted to the cause of independence and liberty; together with sufficient resources for supporting, under every event, our dignity, our government, and our laws. It belongs to you, gentlemen, to remove such obstacles as impede the rapid march of the republic to its height of prosperity, and to reform those errors which the public voice and your own judgments condemn. If we take a retrospective view, and contemplate what Colombia was when she published her code, we shall recognize with surprise the grand career we have since run, and the enormous difficulties we

have surmounted. This reflection should animate us to persevere with zeal, honour, and patriotism in the exercise of our respective faculties. The executive has reason to expect these virtues from the representatives who compose the legislative assemblies, and you may rely confidently on receiving from me such assistance as my experience in the administration may enable me to afford; and above all, the strictest punctuality in the execution of your wise resolves.

FRANCISCO DE PAULA SANTANDER.

Bogotá, Jan. 2, 1825—15.

Speech of his Excellency the President of the United Mexican States, on closing the Session of the Constitutional Federal Congress.

"Gentlemen of the Federal Congress,—In conformity with the constitutional law, I laid before the chambers in January of the present year, the state of the republic; and I now have the honour of announcing, that from that time to the present, our situation has been sensibly improving, and that our nation, far from retrograding or becoming weaker, has been acquiring strength, and advancing in the career of prosperity and power.

"The federal bond has been generally preserved and consolidated. The greater part of the states have sanctioned their constitution, or are about to do so. Each of them labours in establishing or in rectifying its administration. All of them will shew an emulation and zeal, as they have partly done, to supply the contingent which corresponds with

their extent, and without which the institutions by which we are governed would become inert and powerless. In a word, looking at the data which we have on this head, and the good fortune and happiness with which heaven has hitherto advanced the fortunes of the republic, we may hope that each state, proceeding in its own orbit, towards its own good, without neglecting that of the federation, and revolving (if we may be allowed the expression) around the common government, will exhibit, in political order, an imposing spectacle of equilibrium, with the precision and the harmony which distinguish the great masses of our universe.

"The executive power has neither lost, nor could lose, sight of morals and knowledge; and to promote what regards them, a junta is actually employed in a great project of public education, in order that Mexicans may no longer be under the necessity of going in search of improvement to other countries. At the same time establishments, tending to promote the dignity and the grandeur of the republic, its agriculture, together with its commerce and industry, have all been advancing in a manner very perceptible to those who, casting their eyes back upon past times, recollect their condition in the days of our humiliation and slavery.

"Thus the idea is produced and confirmed in us, that the spirit of regulating every thing by the government, and of mixing with every thing, is the most efficacious means which it can employ to diminish or banish, perhaps for ever, abundance and wealth; and that, on the contrary, to introduce and encourage

encourage them, an enlightened and beneficent administration ought only to remove important obstacles, leaving the rest to the action and interest of individuals.

"At present, in what respects the management and direction of the finances, the labours which have been completed and those which have been prepared are immense. Confining myself to the results, the chambers should be acquainted that the army has been paid, that the military magazines have been provided, that the civil list has been satisfied, that the last loan has been realized on advantageous terms, that their subsistence-money and credit have been paid to the cultivators of tobacco, that a part of the debt has been extinguished, that paper money no longer exists, that a considerable quantity of arms and all sorts of stores have been acquired, and that funds have been allocated at different places for the purchase of vessels (of war), that a system of order and economy has been introduced which has saved large sums, and that the administration of the public money only needs for its consolidation and perfection a decision on some projects submitted to the legislative body.

"The military branch is likewise proceeding towards a sensible improvement. The *corps* of all arms is completing. Discipline is re-establishing. The law on desertion will powerfully contribute to promote this object. At the same time, the state of Chiapas has been garrisoned. Our frontier on the west and the north has been fortified with particular attention to the side of Tejas; and the labours which have been undertaken, and are still prosecuted,

to form a general plan of defence, (for which engineers, formed among ourselves, have gone to draw plans of our coasts, mountains, and approaches), will always do honour to the knowledge of the Mexican staff, and evince, in a decisive manner, the vigilance and circumspection of the executive power.

"As regards our navy, although it has been well supplied and managed, yet, if we attend to the number and force of our vessels, it may be said that it has scarce passed its infancy. The government had thought that they might reckon by this time upon a respectable force in both seas; but inevitable obstacles have, till now, deprived us of that assistance which we shall indubitably obtain in a few months. In the mean time, an expedition has sailed to provide the Californias with all kinds of assistance. Our port of Manzanillo, one of the most secure, spacious, and magnificent of the globe, has been ordered to be repaired: and the port of Galveston has been fortified. Orders have been given to construct gun-boats in our territory, by which means our resources will multiply, civilization will advance, commerce will increase, and that which ought to interest us the most—the art of ship-building—of which we so much stand in need, especially in the Pacific, will begin to prosper.

"Our judicial administration was incomplete and lame, before we possessed a supreme court to decide questions of general interest, and to provide for what the territory and the finances of the federation require. But, fortunately, on the 15th of March, the supreme court of justice was installed.

installed. The powers of the state are now in the plenitude of their exercise, and when the law which regulates in detail its jurisdiction and proceedings shall be concluded, the chaos into which we were plunged by the want of it will be removed. Thus, although some disagreeable occurrences may have taken place in the mean time, and some isolated disturbances may have been exhibited, considering things in general, and taking a rapid view of our interior, we shall be convinced that order and union exist in the republic; that the government is consolidating at a rapid rate; that the germs of our well-being are unfolding themselves beyond our expectation; and, what ought to fill us with complacency, and even with pride, that this is realizing itself by establishing a system difficult and new on the basis of knowledge.

"The view of our relations with most foreign states is equally flattering and satisfactory with our internal condition, and the chambers have a prospect of fortune, splendour, and greatness, which the powers of the republic will consolidate by good faith, justice, and moderation. England, the most powerful state of Europe, in respect to us, has acknowledged the independence of Anahuac, and that nation, which living thousands of leagues from our shores, may yet be said to inhabit the American continent, and to border on our confines, has concluded on this basis treaties of amity, navigation, and commerce, which have been duly submitted to the chambers, and now received their approbation. Such an event, which will be one of the most memorable in our history, increases the power

and consideration of the republic; and its example will not fail to be imitated by ultramarine powers, who cannot, did they desire it, do us harm, and whom we can benefit by opening to them our markets under the same guarantee. Perhaps some years will pass before a certain power will offer to recognize us, and confess the legitimacy of our emancipation, although that power ought to have been the first to anticipate it; and although many opportunities have been presented for that purpose, determined on self-destruction, and existing in a condition of weakness and consumption, its eyes acquire new animation to direct against us their threatening looks. But these paroxysms of fury will one day cease, and when the epoch of reconciliation arrives—an epoch which we desire no less for our good than for its own—then it will acknowledge, that while its impotent rage endeavoured to deprive us of liberty and all its advantages, we, on the contrary, were animated towards it with sentiments of moderation, benevolence, and generosity.

"Coming now to the American nations, I have to state that our plenipotentiary has already resided some time in Washington, in all the plenitude of diplomatic acknowledgment, while in a short time the plenipotentiary of the United States of the north, who has already reached our territory, will reside in our capital. On the same footing, the ambassador of our sister republic and ally, the warlike Colombia, remains amongst us, and about to nominate, as soon as possible on our part, a plenipotentiary, we have at present a charge d'affaires in that republic.

The minister of the United States of Central America has some time ago presented his credentials, and has been solemnly recognized in Mexico, while the Mexican government, on its part, has proposed to the senate a reciprocal mission to these states. Finally, a mission has set out to put us in contact with the head of the church; and desiring to lose no opportunity of promoting our improvement, youths have been appointed to devote themselves to the study of diplomacy, and some pensioners from our Academy have been selected, who, by acquiring the best taste in the fine arts, may be able to transplant them into our republic.

"But when speaking of our external relations, it is proper that I should call the attention of the chambers to an event which naturally interests every American, which raises the feeling of their power and dignity, and which, although it occurred in an isolated point, must be considered as a domestic circumstance to all America. In the plains of Ayacucho, the monster of tyranny has breathed its last, and the power of the Peninsula has for ever terminated on our continent. Valour, constancy, and tried disinterestedness, are the characteristics of that memorable day. An army without pay, a victorious force, incomparably less, a most obstinate and sustained resistance, and a rout the most complete and universal which could be desired, present a model of republican heroism, and a well-merited title to immortality for Sucre, for his army, and for the Liberator. A treaty of alliance had already identified the most essential interests, the fortunes and the destiny of Mexico and Colum-

bia; and we have been in consequence invited to the assembly of the representatives of the American republics, which is soon to take place, for the purpose of securing the establishment of their general emancipation, and neutralizing the oppressive views and projects of those who desire to extinguish among Americans the feelings, nay, even the idea and the memory of liberty and independence.

"The time has therefore arrived, in which the nation may indulge its pride, since it owes so much to its good sense and its good feeling, and in which the chambers may enjoy the purest pleasure in seeing the happy issue of their labours, their zeal, and their exertions for the public good. Much yet remains to be done to reach the point at which the nation ought to aim. We are as yet only sowing, but the soil is of the most fertile kind, and we have at hand moisture in abundance. With what satisfaction then, and with what zeal ought the powers of the nation to cultivate the precious field which has been intrusted to them. For my part, and to conclude, I have the honour to recommend to the legislative body the passing of several grave and important measures, which are pending, and which benumb the course of administration. In the mean time the government trusts that the interval of the recess, will be employed in preparing and forwarding the labours of the commissions, that when the time of the meeting of the chambers arrives, they may resolve and consult, in the most expeditious manner, to promote the advancement and felicity of the republic, which we all desire to see at its height as soon as possible."

ANSWER OF HIS EXCELLENCY THE
PRESIDENT OF THE CONGRESS TO
THE FOREGOING SPEECH.

"Sir,—Truly the public welfare advances and acquires perfection among us, as we have just been told in the speech of the first magistrate of the executive power. It is only a year since we laboured at our constitution, and the new order of things has already nearly reached its full development. The impulse which appears in the career of free nations comes, in a great measure, from the new world—an impulse given by the general will, regulated and sustained by laws well considered, like those which compose our valuable federal code, must keep us in perpetual progress, and must raise our republic to a splendour and opulence easy to be foreseen. We are still in our infancy. This is the first constitutional congress of the federation; and if we join to what the government has said what is greatest in the deliberations and labours of both chambers during the period of their first session, it will be seen that every thing is important, and that every thing is conformable to the spirit and the nature of the system which regulates us.

"Well-meditated projects for perfecting the exercise of the supreme judicial power of the federation; for organizing the active militia; for defining the privileges which, by combining the public with individual interest, secure the fruits of their exertions to talent and industry; for regulating the army, and preventing disorder, or exhausting it, consistently with the self-respect of the soldier; for establishing a new port, to encourage our commerce, and facilitate

the export of the first-fruits of our nascent agriculture: and—that which is of the greatest importance—for establishing a concordat with the apostolic see, for placing us in communication with the Sovereign Pontiff, and for providing pastors to the Mexican church, which now exists in an orphan state;—such, together with the debates worthy of the zealous representatives of this new nation on the treaty of commerce and friendship between us and the king of Great Britain, appear amid the labours and deliberations of the last five months. All this is important to the nation, and all is conformable to the federal system. Eternal honour to the representatives and the president of the United States of Mexico who carry forward this great people to the highest destinies! It is true that the greater part of our projects, although discussed in the chamber in which they originated, still remain under the examination of the chamber of revision. It was not allowable for us to precipitate the legislative march of the two assemblies combined to deliberate—a march as majestic as slow in its very nature; nor did the law permit us to lengthen the session beyond the present day; but the same law which now prorogues us will assemble us at its usual time, and the nation will again see us employed in perfecting our labours."

Inaugural Address of John Quincy Adams, as President of the United States.

"In compliance with an usage coeval with the existence of our federal constitution, and sanctioned by the example of my predecessors in the career upon which I am about to enter, I appear, my fellow-

fellow-citizens, in your presence, and in that of Heaven, to bind myself by the solemnities of religious obligation to the faithful performance of the duties allotted to me in the station to which I have been called.

"In unfolding to my countrymen the principles by which I shall be governed in the fulfilment of those duties, my first resort will be to that constitution, which I shall swear, to the best of my ability, to preserve, protect, and defend. That revered instrument enumerates the powers, and prescribes the duties, of the executive magistrate; and, in its first words, declares the purposes to which these, and the whole action of the government instituted by it, should be invariably and sacredly devoted:—to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to the people of this union, in their successive generations. Since the adoption of this social compact, one of these generations has passed away. It is the work of our forefathers. Administered by some of the most eminent men who contributed to its formation, through a most eventful period in the annals of the world, and through all the vicissitudes of peace and war, incidental to the condition of associated men, it has not disappointed the hopes and aspirations of those illustrious benefactors of their age and nation. It has promoted the lasting welfare of that country so dear to us all; it has, to an extent far beyond the ordinary lot of humanity, secured the freedom and

happiness of this people. We now receive it as a precious inheritance from those to whom we are indebted for its establishment, doubly bound by the examples which they have left us, and by the blessings which we have enjoyed, as the fruits of their labours, to transmit the same unimpaired to the succeeding generation.

"In the compass of 36 years since this great national covenant was instituted, a body of laws, enacted under its authority, and in conformity with its provisions, has unfolded its powers, and carried into practical operation its effective energies. Subordinate departments have distributed the executive functions in their various relations to foreign affairs, to the revenue and expenditures, and to the military force of the Union, by land and sea. A co-ordinate department of the judiciary has expounded the constitution and the laws; settling, in harmonious coincidence with the legislative will, numerous weighty questions of construction, which the imperfection of human language had rendered unavoidable. The year of Jubilee, since the first formation of our union, is just elapsed—that of the declaration of our independence is at hand. The consummation of both was effected by this constitution.

"Since that period, a population of four millions has multiplied to twelve; a territory bounded by the Mississippi has been extended from sea to sea; new states have been admitted to the Union, in numbers nearly equal to those of the first confederation; treaties of peace, amity, and commerce, have been concluded

concluded with the principal dominions of the earth; the people of other nations, inhabitants of regions acquired, not by conquest, but by compact, have been united with us in the participation of rights and duties, of our burdens and blessings; the forest has fallen by the axe of our woodsmen; the soil has been made to teem by the tillage of our farmers; our commerce has whitened every ocean; the dominion of man over physical nature has been extended by the invention of our artists: liberty and law have marched hand in hand; all the purposes of human association have been accomplished, as effectively as under any other government on the globe; and at a cost little exceeding, in a whole generation, the expenditure of other nations in a single year.

"Such is the unexaggerated picture of our condition, under a constitution founded upon the republican principle of equal rights. To admit that this picture has its shades, is but to say that it is still the condition of men upon earth. From evil, physical, moral, and political, it is not our claim to be exempt. We have suffered, sometimes by the visitation of Heaven, through disease; often by the wrongs and injustice of other nations, even to the extremities of war; and lastly, by dissensions among ourselves—dissensions, perhaps, inseparable from the enjoyment of freedom, but which have, more than once, appeared to threaten the dissolution of the Union, and, with it, the overthrow of all the enjoyments of our present lot, and all our earthly hopes of the future. The causes of these dissensions

have been various: founded upon differences of speculation in the theory of republican governments, upon conflicting views of policy in our relations with foreign nations—upon jealousies of partial and sectional interests, aggravated by prejudices and prepossessions which strangers to each other are ever apt to entertain.

"It is a source of gratification and of encouragement to me, to observe that the great result of this experiment upon the theory of human rights has, at the close of that generation by which it was formed, been crowned with success equal to the most sanguine expectations of its founders. Union, justice, tranquillity, the common defence, the general welfare, and the blessings of liberty—all have been promoted by the government under which we have lived. Standing at this point of time, looking back to that generation which has gone by, and forward to that which is advancing, we may, at once, indulge in grateful exultation, and in cheering hope. From the experience of the past, we derive instructive lessons for the future. Of the two great political parties which have divided the opinions and feelings of our country, the candid and the just will now admit, that both have contributed splendid talents, spotless integrity, ardent patriotism, and disinterested sacrifices, to the formation and administration of this government; and that both have required a liberal indulgence for a portion of human infirmity and error. The revolutionary wars of Europe, commencing precisely at the moment when the government of the United States first went into

into operation under this constitution, excited a collision of sentiments and of sympathies, which kindled all the passions, and imbittered the conflict of parties, till the nation was involved in war, and the Union was shaken to its centre. This time of trial embraced a period of five and twenty years, during which the policy of the Union, in its relations with Europe, constituted the principal basis of our political divisions, and the most arduous part of the action of our federal government. With the catastrophe in which the wars of the French Revolution terminated, and our own subsequent peace with Great Britain, this baneful weed of party strife was uprooted. From that time, no difference of principle, connected either with the theory of government, or with our intercourse with foreign nations, has existed, or been called forth, in force sufficient to sustain a continued combination of parties, or to give more than wholesome animation to public sentiment, or legislative debate. Our political creed is without a dissenting voice that can be heard. That the will of the people is the source, and the happiness of the people the end, of all the legitimate government upon earth—that the best security for the beneficence, and the best guarantee against the abuse of power, consist in the freedom, the purity, and the frequency of popular elections—that the general government of the Union, and the separate governments of the states, are all sovereignties of limited powers, fellow servants of the same masters, uncontrolled within their respective spheres, uncontrollable by en-

croachments upon each other—that the firmest security of peace is the preparation, during peace, of the defences of war—that a rigorous economy, and accountability of public expenditures, should guard against the aggravation, and alleviate, when possible, the burden of taxation—that the military should be kept in strict subordination to the civil power—that the freedom of the press and of religious opinion should be inviolate—that the policy of our country is peace, and the ark of our salvation union, are articles of faith upon which we are all now agreed. If there have been those who doubted whether a confederated representative democracy were a government competent to the wise and orderly management of the common concerns of a mighty nation, those doubts have been dispelled. If there have been projects of partial confederacies to be erected upon the ruins of the Union, they have been scattered to the winds. If they have been dangerous attachments to one foreign nation, and antipathies against another, they have been extinguished. Ten years of peace, at home and abroad, have assuaged the animosities of political contention, and blended into harmony the most discordant elements of public opinion. There still remains one effort of magnanimity, one sacrifice of prejudice and passion, to be made by the individuals throughout the nation who have heretofore followed the standards of political party. It is that of discarding every remnant of rancour against each other; of embracing as countrymen and friends, and of yielding to talents and

and virtue alone, that confidence which, in times of contention for principles, was bestowed only upon those who bore the badge of party communion.

"The collisions of party spirit, which originate in speculative opinions, or in different views of administrative policy, are in their nature transitory. Those which are founded on geographical divisions, adverse interests of soil, climate, and modes of domestic life, are more permanent, and therefore, perhaps, more dangerous. It is this which gives inestimable value to the character of our government, at once federal and national. It holds out to us a perpetual admonition to preserve alike, and with equal anxiety, the rights of each individual state in its own government, and the rights of the whole nation in that of the Union. Whatsoever is of domestic concernment, unconnected with the other members of the Union, or with foreign lands, belongs exclusively to the administration of the state governments. Whatsoever directly involves the rights and interests of the federative fraternity, or of foreign powers, is of the resort of this general government. The duties of both are obvious in the general principle, though sometimes perplexed with difficulties in the detail. To respect the rights of the state governments is in the inviolable duty of that of the Union; the government of every state will feel its own obligation to respect and preserve the rights of the whole. The prejudices, every where too commonly entertained against distant strangers, are worn away, and the jealousies of jarring interests are allayed by the

composition and functions of the great national councils, annually assembled from all quarters of the Union at this place. Here the distinguished men from every section of our country, while meeting to deliberate upon the great interests of those by whom they are deputed, learn to estimate the talents, and to do justice to the virtues of each other. The harmony of the nation is promoted, and the whole Union is knit together by the sentiments of mutual respect, the habits of social intercourse, and the ties of personal friendship, formed between the representatives of its several parts, in the performance of their service at this metropolis.

"Passing from this general review of the purposes and injunctions of the federal constitution, and their results, as indicating the first traces of the path of duty in the discharge of my public trust, I turn to the administration of my immediate predecessor, as the second. It has passed away in a period of profound peace; how much to the satisfaction of our country, and to the honour of our country's name, is known to you all. The great features of its policy, in general concurrence with the will of the legislature, have been — to cherish peace, while preparing for defensive war; to yield exact justice to other nations, and maintain the rights of our own; to cherish the principles of freedom and of equal rights, wherever they were proclaimed; to discharge, with all possible promptitude, the national debt; to reduce, within the narrowest limits of efficiency, the military force; to improve the organization and discipline of the army;

army; to provide and sustain a school of military science; to extend equal protection to all the great interests of the nation; to promote the civilization of the Indian tribes; and to proceed in the great system of internal improvements within the limits of the constitutional power of the Union. Under the pledge of these promises, made by that eminent citizen at the time of his first induction to this office, in his career of eight years, the internal taxes have been repealed; sixty millions of the public debt have been discharged; provision has been made for the comfort and relief of the aged and indigent among the surviving warriors of the revolution; the regular armed force has been reduced, and its constitution revised and perfected; the accountability for the expenditure of public monies has been made more effective; the Floridas have been peaceably acquired, and our boundary has been extended to the Pacific Ocean; the independence of the southern nations of this hemisphere has been recognized, and recommended by example and by counsel to the potentates of Europe: progress has been made in the defence of the country by fortifications, and the increase of the navy; towards the effectual suppression of the African traffic in slaves; in alluring the aboriginal hunters of our land to the cultivation of the soil and of the mind; in exploring the interior regions of the Union; and in preparing, by scientific researches and surveys, for the further application of our national resources to the internal improvement of our country.

"In this brief outline of the promise and performance of my immediate predecessor, the line of duty for his successor is clearly delineated. To pursue, to their consummation, those purposes of improvement in our common condition, instituted or recommended by him, will embrace the whole sphere of my obligations.

"To the topic of internal improvement, emphatically urged by him at his inauguration, I recur with peculiar satisfaction. It is that from which I am convinced that the unborn millions of our posterity, who are in future ages to people this continent, will derive their most fervent gratitude to the founders of the Union—that in which the beneficent action of its government will be most deeply felt and acknowledged. The magnificence and splendour of their public works are among the imperishable glories of the ancient republics. The roads and aqueducts of Rome have been the admiration of all after ages, and have survived thousands of years after all her conquests have been swallowed up in despotism, or become the spoil of barbarians. Some diversity of opinion has prevailed with regard to the powers of congress for legislation upon objects of this nature. The most respectful deference is due to doubts originating in pure patriotism, and sustained by venerated authority. But nearly 20 years have passed since the construction of the first national road was commenced. The authority for its construction was then questioned. To how many thousands of our country has it proved a benefit? To what single individual has it ever proved an injury?

Repeated

Repeated liberal and candid discussions in the legislature have conciliated the sentiments and approximated the opinions of enlightened minds, upon the question of constitutional power. I cannot but hope that, by the same process of friendly, patient, and persevering deliberation, all constitutional objections will ultimately be removed. The extent and limitation of the powers of the general government, in relation to this transcendantly important interest, will be settled and acknowledged to the common satisfaction of all; and every speculative scruple will be solved by a practical public blessing.

"Fellow citizens, you are acquainted with the peculiar circumstances of the recent election, which have resulted in affording me the opportunity of addressing you at this time. You have heard the exposition of the principles which will direct me in the fulfilment of the high and solemn trust imposed upon me in this station. Less possessed of your confidence, in advance, than any of my predecessors, I am deeply conscious of the prospect that I shall stand more and oftener in need of your indulgence. Intentions, upright and pure; a heart devoted to the welfare of our country, and the unceasing application of all the faculties allotted to me to her service, are all the pledges that I can give for the faithful performance of the arduous duties I am to undertake. To the guidance of the legislative councils—to the assistance of the executive and subordinate departments—to the friendly co-operation of the respective state governments—to the candid and liberal support of the people, so far as it

may be deserved by honest industry and zeal, I shall look for whatever success may attend my public service. And knowing that, except the Lord keep the city, the watchman waketh but in vain, with fervent supplications for his favour, to his overruling Providence I commit with humble but fearless confidence, my own fate, and the future destinies of my country."

The following is the copy of an address recently presented to the Emperor of Austria, by the archbishop of Venice, on the wretched state into which that once mighty city has fallen under the "paternal" sway of the House of Austria. No doubt can be entertained of the genuineness of this very curious document.

To His Majesty Francis the Second, Emperor and King, &c. &c.

Sire,—Fourteen centuries of existence as the capital of a flourishing state and of an active and extensive commerce had rendered the city of Venice (in its origin without territory, and wanting the first elements of existence) the asylum of 118,000* inhabitants; a wealthy aristocracy, that consumed the rich produce of the neighbouring districts, and which, aspiring at honourable employments, diffused its riches among the people; an arsenal, which with its activity maintained 3,000 families, more than sixty magistracies, sundry representative bodies, and sixty religious companies, which with their ramifications afforded the

* The population of Venice in 1797 was 137,340 inhabitants. In this number were comprised the districts of Burano, Murano, Torcello, and Malamocco, now separated, and which formed then a total of 200,000 souls.

means of decent and comfortable existence to many hundreds of families of various ranks; finally, a court of judicature, which from the celebrity of its extemporaneous eloquence attracted a multitude of clients from the provinces of the *terra firma*, and procured for nearly 1,000 families comfort and riches;—all these were resources which ceased on a sudden with the changes in our political existence. All these families from that moment saw their fortunes change, and from being able, with their superfluities, to relieve the poor, always numerous in a city celebrated for its charities, they were at once precipitated into the class of the indigent, and were numbered with those reduced to implore succour.

This real and unexaggerated picture, which, as president of the General Commission of Benevolence, I presume to lay before your Majesty, at the same time that, according to the commands contained in your royal order on the 22d of December, 1823, I lay at your Majesty's feet the general statement of the accounts to the 31st of December, 1824, has no other object than that of supplicating your merciful consideration in favour of our unhappy but virtuous people, who at the first view may appear slothful and idle, but who, in reality, can be accused of nothing but misfortune, arising from a most rapid change in circumstances.

Should your Majesty, on the representation of these too real and unvarnished facts, deign to give them consideration, your Majesty will cease to be surprised how this population, once so flourishing from commerce and manu-

factures, should be at this day reduced to 100,000 souls,* of which barely one-third part can be considered, I will not say affluent, but possessing a sufficiency—calculating that in this third part are included those individuals in your Majesty's service, or those enjoying pensions, (both forming a principal branch of resource), while the remainder is reduced to the necessity of imploring from the munificence of your Majesty, and from the charity of others, precarious means of subsistence.

Far from describing to your Majesty with fallacious and exaggerated expressions the daily decay of the population, I feel it my duty to submit to your Majesty, sitting daily as president of the General Commission of Benevolence, and thereby having the means of seeing closely, and in all their reality, the urgent and real wants of the population, that indigence increases as rapidly as commercial activity diminishes, and that many of those meritorious individuals, originally contributors to, and supporters of, the above charitable institution, have been reduced to the necessity of imploring and receiving assistance from it.

Such, Sire, and so great is the want of resources and of occupation in this city, once so prosperous, that every day that the charitable society co-operates with the ministry of the police (which has always displayed the greatest ac-

* This number contains the population of Venice alone, taken from the census of 1824, the districts of Burano, Murano, and Malamocco being separated. Hence the real decline in the population of Venice alone, from 1797 to 1824, amounts to 18,000 souls.

tivity and desire to do good), nothing is heard but the lamentations of merchants fallen into extreme indigence—of mercantile captains complaining of want of employment—of seamen, manufacturers, artists, and boatmen, dismissed by their employers, without knowing where to apply, or what employment to seek, to provide for the wants of their numerous families.

If, in the midst of these afflictions, the general commission has been able, in the space of the last seven years and a half, to extract from the few prosperous inhabitants a sum of 1,600,000 Austrian livres (about 55,000*l.* sterling) for the relief of the indigent, (as your Majesty may observe from the accounts of the administration of the funds of this society, without including other numerous and unavoidable contributions to support the orphan asylums and religious institutions, and to keep the churches in a state of repair), this is attributable only to the naturally charitable character of the Venetian, who has always shown himself more ready to restrain his own wants, than to deprive his unfortunate fellow-citizens of succour.

But the inclination to do good, Sir, yields to the imperious necessity of circumstances; and I should be wanting in justice to myself and to the duties imposed upon me by my office of president, if, after having tried every resource, and exhausted every mode of meeting the demands on the institution (increased of late by the applications of those persons, until lately employed in the printing and chancery offices, lately abolished for the sake of retrenchment), I

did not submit to the gracious consideration of your Majesty, the urgent situation of our pious institution, and the means of preserving it.

The late Italian government, in the decree of the 18th of June, 1807, vol. 1. article 26, page 312, declared the property of the religious societies to be forfeited to the board of revenue, assigning at the same time an annuity on the *Monte de Piet *, in compensation of the capital at that time remaining in the Mint and the bank of Venice.

This measure, which stripped the religious societies of their capitals, the united interest of which very much exceeded the sum assigned, by a decree of the 7th of December, 1807, vol. 3. art. 43, page 1197, pushed the system of spoliation still further, by assuming the right of superseding those testamentary dispositions made anterior to the publication of the said decree where the parties have not established their claim, reserving to the *Mont de Piet * the exclusive privilege of assuming the rights of the religious fraternities, for the purposes contemplated by the first decree of the 28th of July, 1806, vol. 2, page 821.

Nor did the operations of the board of revenue stop here; for after carrying away the books and papers belonging to the religious fraternities, it possessed itself of much property, which, according to the strict interpretation of the law, they were not authorized to possess themselves of.

The administration of the religious fraternities being afterwards confided to the society, called the New Congregation of Charity, it did not possess the means,

means, or perhaps the necessary vigour to resist this spoliation, and to re-establish the rights of the fraternities, which were allowed to exist according to their ancient regulations, even under the late government.

In 1817, the claim on the part of the poor of St. Lucia (now the district of St. Geremia) to an annuity of 91.97. (Austrian livres), left by an Albanese, named Dante, secured upon a paper-manufactory at Frenza, was recognized and admitted. The board of revenue endeavoured to take this sum under its control, but the General Commission of Benevolence opposed the attempt, on the ground of this sum being derived from the Papal states. The board of revenue was obliged to yield, and on a representation made to his holiness of the right of the poor to this sum, the possession of it was fully confirmed to them by a decree of the 22d of November, 1823.

The poor of the religious fraternity of St. Cassan, in whose favour the interest of a capital standing in the books of the *Monte de Pietà* was inscribed after the death of the annuitant Astori, were not equally fortunate, for the prefect of the Mont refused to accept the transfer of the annuity of 902.30. (Austrian livres), with the intention of annulling the capital under the authority of the aforesaid article No. 43, although the title of the poor attached to the said fraternity was only made good after the death of the annuitant Astori, which occurred in 1822, and without the said capital having been included in the general sequestrations of 1807. The board

of revenue has never given this fraternity any compensation.

Your Majesty will perceive from this statement, that it is intended to deprive the poor of the religious fraternities of this city of that property which has been bequeathed for their benefit by certain pious and charitable individuals, under the pretence that the original dispositions in their favour were made before the decree of the 7th of Dec. 1807, although the right of possession did not come to them till long after they came under the religious and pious guardianship of your Majesty.

For the relief of the wretched inhabitants of this city, and for the maintenance and support of the charitable institution upon which devolves the duty of succouring so many indigent individuals, I invoke your Majesty's attention and clemency to the following objects:—

1st. That all capitals and annuities, arising from testamentary dispositions, the claims to which have been verified since the decree of the 8th of December, 1807, and which have not been seized by the late government up to the 20th of April, 1814, the day on which the late government ceased to exist, as in the above-cited cases of Dante and Astori, should be placed at the disposition of the respective religious fraternities, as intended by the pious testators.

2d. That as regards the compensations for the property unjustly confiscated by the board of revenue under the late government, and which was alienated by it during its existence, they may be considered as coming within the operation

ration of the article No. 20 of the regulation of the 26th of June, 1822, made by the diplomatic commission at Milan. But for that portion which still exists under the control of the board of revenue, represented as legal seizure, that it may be restored in virtue of the despatch of the Aulic-chamber, No. 32,612, addressed to the legate Nani, in favour of the poor of St. Gervasio and St. Protasio.

3d. That this restitution, in consequence of the books and papers of the religious fraternities having been seized, should be made through a commission or committee united to the General Commission of Benevolence which represents the poor of all the religious fraternities.

This is what I supplicate from the justice of your Majesty, for

the benefit of the indigent portion of this miserable population, which asks nothing but the restitution of its own property, of which it never could have been deprived but by the effect of the late political vicissitudes.

Should it please your Majesty, by this concession, to encourage the pious labours of the society over which I preside, and which, by its indefatigable exertions and pecuniary sacrifices, has repeatedly received your Majesty's approbation, and also to grant it some permanent succour, then I may not only be able courageously to reanimate its exertions, but also to preserve all those advantages which this provident institution secures to morality and religion.

LADISLAUS PIJKEE,

Patriarch, President.

Venice, July 1, 1825.

**P R I N C I P A L
O C C U R R E N C E S**

In the Year 1825.

PRINCIPAL OCCURRENCES

In the Year 1825.

JANUARY.

GREAT BRITAIN.

A MEETING of deputies from all the parishes affected by the claim of 2s. 9d. in the pound, was held at Guildhall, for the purpose of reporting to the tithe committee of the corporation the sentiments of the inhabitants of their several parishes as to the proposed united application to parliament for the repeal of the act of the 37th Henry VIII. and the settlement of all disputes with the clergy. Amongst others present, there were deputies from the parishes of St. Botolph Aldgate, St. Olave Hart-street, St. Giles Crip-plegate, St. Gregory by St. Paul, Allhallows Barking, Allhallows the Less, St. Helen's Bishopsgate, St. Alphage, and St. Botolph Bishopsgate. There were nearly one hundred deputies present.

A meeting of catholics was held at St. Patrick's school, Dean-street, Soho, at which about 400 attended, for forwarding the purposes of the Catholic Association, and rent was individually collected from the auditory.

Lanyan Cromlech, near Penzance. — This celebrated stone, which weighs about thirteen tons, and which fell from its station on the 19th of October, 1815, during a violent and destructive storm of wind, has been replaced by the united and indefatigable exertions of Lieutenant Goldsmith and Cap-

tain Giddy, with the aid of the materials and machinery employed about the Logan rock.

A large mass of earth was detached from a part of the hills near Cromer, called Lighthouse Hills, which at that place are about 250 feet in height. It fell with great force on the beach, extending itself beyond low water mark about 300 yards from the cliff: it is calculated that it now covers upwards of twelve acres, and that it must contain not less than half a million of cubic yards, equal to as many cart loads. As the fall of this enormous body was sudden, it is fortunate no person was near it, as the officers and men on the preventive service were in the course of their duty obliged to pass in the night immediately where it fell. It makes a grand and imposing appearance, and is much resorted to by the curious; several fossil bones and other curious things have been taken up and noticed; a large and rapid stream of water immediately after its fall issued from the bank, discharging itself on the beach with great noise and violence.

Thirteen men were employed in digging and filling the corves on both sides of the principal passage to the shaft of a coal pit at Middleton, three miles from Leeds. The excavations were going on in two separate compartments of the pit, in one of which were eight men, and in the other five. The

foul air, or, as it is usually termed, fire-damp, was driven forward to the spot on which they were occupied. This would have proved of little importance had none of the lights been exposed, as Sir Humphrey Davy's safety lamp indicates the presence of the noxious gas without explosion.—But, most unfortunately, the catastrophes which already have been caused by similar inadvertencies, do not seem to have impressed this class of people with a proper sense of caution: one of the men working on the north side of the centre passage, is supposed to have taken off the top of his lamp for some purpose, and the hydrogen gas became immediately ignited, when a tremendous explosion took place. Nearly the whole of the colliers engaged in the northern division were killed upon the spot. All the hurriers and thrusters who attempted to make their escape by the principal passage, were destroyed, some by the suffocating nature of the blast, and others by the violence with which they were driven by it against the corves by which this outlet was obstructed. The bodies of these poor men were for the most part mangled and disfigured in the most shocking manner. Five colliers, who were working in the neighbouring compartment to the other eight, were suffocated, having no possible outlet by which to escape but the principal passage, already blocked up with the corves and dead bodies of their comrades.

GERMANY.

Letters from Hamburg are filled with affecting notices of the inundations all along the coast. One letter from Medenblich states, that such tremend-

ous gales of wind, extraordinarily high tides, and tempestuous weather, have not been experienced by the oldest inhabitants. The inundations have been dreadful also in the Netherlands, and subscriptions have been opened for the sufferers. In cattle alone, 10,000 oxen and 100,000 sheep have perished.

FEBRUARY.

GREAT BRITAIN.

The Levant company resigned its charter to government. It was one of the oldest companies, and formed in 1579.

The long-room of the new custom-house fell in.

In consequence of the overflow of students at both universities, it is in contemplation to found a third university in the neighbourhood of York, towards which the venerable Earl Fitzwilliam has promised to subscribe fifty thousand pounds.

One of the richest veins of lead ore perhaps ever discovered, has been lately broken into near Matlock, in what is called a pipe-work, or an opening or communication of caverns, similar to those which are shown to visitors at Matlock Bath. The roof, sides, and bottom are covered with the richest galena. It is visited by all the miners in the county, and one professional gentleman offered 10,000 guineas for the ore in sight.

The dean and chapter of Rochester have determined to restore the interior of Rochester cathedral to its primitive state; the Corinthian altar-piece, put up at the time of the Reformation, is taken down, and has brought to view

the whole of the original composition of the east end of the choir, consisting of three gothic arched recesses and windows, in the purest style of the 13th century, and on scraping off the white-wash, the decorations of the high altar appeared, consisting of birds and beasts, *fleurs-de-lis*, lilies, crescents, stars, scroll foliage, fleur-crosses, lace-work borders, &c. arranged in the most beautiful order, and finely contrasted in the colours, which consist of the brightest crimsons, purples, azures, greens, &c. Another antiquarian treasure has been discovered of equal curiosity. This is a monument, with the effigies of one of the early bishops of Rochester, in his pontifical robes, judged to be of that period when the arts of sculpture and architecture were at the zenith of splendour, the reign of Edward the Third. The crosier, mitre, and robes, are tastefully disposed and gorgeously enriched; the crosier, with gilded foliage, and the mitre in diamonded compartments of jewellery work, the execution of which is in the highest degree elaborate. The outer robe is crimson, with gold embroidery and jewels; and the under robe purple, relieved by a vest of a pink colour and gold fringe. The gloves have jewels, and the shoes are embroidered.

A very fine specimen of the rough-legged falcon (*falco lagopus* of Linnæus) was taken alive at Wreay, near Carlisle, after having been shot at and wounded in the wing. It measures two feet two inches in length, four feet two inches in breadth, and is feathered down to the toes. This rare bird is a native of Denmark and Siberia, and has seldom

or never before been seen in Cumberland.

HOLLAND.

The new canal of Amsterdam, forming a communication from the ocean to that city, exceeds in depth and dimensions any similar work in Great Britain. A forty-four gun frigate has already made the passage, and there is sufficient capacity for a ship even of 80 guns.

ICELAND.

Letters state, that the eruption of the volcanoes Kotlugjan and Orfildsjokelen has ceased, but that another element had since occasioned the greatest ravages. Kotlugjan had been throwing up with so much force immense masses of water, that the neighbouring country was inundated, and three men became the victims of the phenomenon.

MARCH.

GREAT BRITAIN.

The 42d anniversary dinner of the subscribers to the Eastern Dispensary, which has for its object the affording medical aid to the indigent of that extensive district of the eastern part of the metropolis, was celebrated at the London Tavern, T. Wilson, Esq. M.P. in the chair. In the course of the evening the report was read by the secretary, by which it appeared that the Dispensary was first instituted in 1782; since which period there had been admitted 70,389 individuals.

Cured and relieved . 61,739

Discharged for non-attendance 652

Died 1226

Women delivered at their own habitations . . . 6613

Now under cure. . . . 159

70,389

of whom 15,214 were visited at their own habitations.

The Hon. F. Ashley Cooper, son of the Earl of Shaftesbury, aged 15, and Mr. Wood, son of Colonel Wood, aged 14, collegians at Eton, had a few words and blows in the play-ground of the college, but were separated. They however fought pugilistically afterwards, by agreement, and the contest continued near two hours, during which the "backers" poured brandy down young Cooper's throat; and at the end of the 60th round he fell in a fit, was carried off the ground insensible, and died in four hours! The coroner's jury returned a verdict of manslaughter against Mr. Wood the principal, and Mr. Leith the second.

FRANCE.

The Egyptian sarcophagus exhibited at Marseilles, has been purchased by the French government, and is now on its way to the capital. This tomb weighs 19,000lbs., and its lid 11,000lbs. It is 8 feet long, 4 feet broad, and 4½ feet high, and is marked both on the inside and the outside with hieroglyphic characters.

On a report made to the King of France by the Duke de Doudeauville, minister of the household, his Majesty has granted a pension of 2000 francs in favour of the descendants of the great Corneille.

AMERICA.

The Bunker's-hill monument, contemplated at Boston, will be one of the most noble and interesting edifices in that country. It is to be a column of granite 250 feet in height, which is higher than the monument of London, or any steeple in America: to be

ascended by a circular stairway to the top, from which a most beautiful and extensive prospect will be presented to the spectator. The cost is estimated at 75,000 dollars.

EAST INDIES.

Rangpoor surrendered with the following stores:—

Brass guns—1 Danish fourteen-pounder, 21 from three-pounders downwards. Iron guns—1 forty-pounder, 1 English nine-pounder, 941 from three-pounders to swivels; total 965.—382 musquets, 226 swords, 228 spears.—Seven thousand iron balls, and a great quantity of gunpowder.

Only two officers were wounded, 2 privates killed, and 46 wounded.

APRIL.

GREAT BRITAIN.

Newgate, April 5.—At this date the returns of the prison contained 447 prisoners, either convicted of or charged with crime. Of this aggregate 308 awaited their trials at the sessions. There was only one charge of forgery, whereas at a corresponding session (after the Lent vacation) a few years ago, there were 33 charged with this offence. A summary statement, descriptive of the various offences with which the prisoners severally stand charged, is as follows:—burglary, 8—house-breaking, 2—highway-robbery, 2—stealing in a dwelling-house, 16—forgery, 1—cutting and maiming, 4—horse-stealing, 2—embezzling, 5—sending a threatening letter to extort money, 2—bigamy, 1—stealing from the person, 34—receiving stolen goods, 3—fraud, 2—attempting to commit a burglary, 1—selling counterfeit coin, 6—larcenies, 214—total, 308—Of

which number 286 are charged with crime committed in Middlesex, and 67 in the city of London.

Prisoners under sentence of death, 1—respited during pleasure, 25—transportation for life, 32—for fourteen years, 8—for seven years, 51—for felonies and misdemeanors, 11—whose judgments are respited, 8—remanded, 1—insane, 2—committed under the bankrupt laws, 5—for removal to the house of correction, 1—for trial at the sessions, 303—total, 447—males, 317—females, 130.

Bills in Parliament.—The bills before parliament in this single session amount to 383; while those in 1793, 1794, 1795 and 1796, together made only 449. Of these, the road bills are 122; bills for railways, 30; canals, 5; bridges, 10; navigations, 9; docks, 10; harbours, piers, quays, and wharfs, 16. Improvement of towns, 44; paving, 8; gas and lighting, 12; water-works, 11; churches, &c., 13; gaols, 3; markets, 4; streets and building, 3; and other circumstances connected with towns, 5. For the advancement of agriculture, for inclosures, 37; embankments, 2; and drainage, 5. Add to these 24 bills for the regulation of poor rates, tithes, tolls, town dues, and statute labour; and two or three bills for objects of minor concern; and, last of all, no less than 50 trading and speculating companies which have come before parliament for legislative sanction in one shape or other.

Oxford, April 20.—In convocation, the University Seal was affixed to an instrument for the establishment of four University scholarships, the benefaction of the Very Rev. the Dean of Westminster, "For the Promotion of

Classical Learning and Taste." The candidates are to be Undergraduate Members of the University, "without regard to place of birth, school, parentage, or pecuniary circumstances," who shall not have exceeded their sixteenth term from their matriculation. The election of the first scholar to take place in the first term after the completion of the foundation.

On the 26th, the first chain of the Menai bridge was thrown over the Straits of Menai. When the blocks were made secure to the chain, (comprising twenty-five tons weight of iron) two capstans, and also two preventive capstans commenced working, each moved by twenty-four men. At this critical and interesting moment, the attention of the numberless spectators, assembled on the occasion, seemed rivetted to the novel spectacle; the chain rose majestically, and the gratifying sight was enthusiastically enjoyed by each individual present. At fifty minutes after four o'clock, the final bolt was fixed, which completed the whole line of chain, and the event was hailed by the hearty acclamations of the numerous spectators, joined by the vociferations of the workmen, which had a beautiful effect from the reiteration of sound, caused by the height of the opposite banks of the strait. Not the least accident, delay, or failure in any department took place during the whole operation. The masterly manner in which the various concomitant parts of this magnificent bridge have been executed, will remain an indelible proof of the superior abilities of the resident engineer, and others concerned. Upon the completion of the chain, three of the workmen had the temerity to pass

pass along the upper surface of the chain, which forms an inverted curvature of 580 feet. The versed sine of the arch is forty-three feet.

27.—*Christ's Hospital*.—The ceremony of laying the first stone of the New Hall at Christ's Hospital took place under the auspices of his Royal Highness the Duke of York. Between two and three o'clock his Royal Highness arrived, accompanied by several of the nobility and gentlemen of distinction, and performed the ceremony in the usual way amid the cheers of the multitude. An inscription in Latin was engraved on the stone.

RUSSIA.

The last annual obituary of the Russian empire, published at St. Petersburg, records the death of a man at the very advanced age of 168, (Old Parr was 152), near to Pollock, on the frontiers of Livonia. He had seen seven sovereigns on the throne of Russia, and remembered the death of Gustavus Adolphus. He had been a soldier in the thirty years' war; at the battle of Pultowa (in 1709) he was 51 years of age. At the age of 98 he married his third wife, with whom he lived 50 years: the two youngest sons of this marriage were 86 and 62 respectively in the year 1796; the oldest of his other sons, in the same year, were 95 and 93 respectively. The entire family of this patriarch comprises 138 descendants, who all lived together in the village of Pallotska, which the Empress Catherine the Second caused to be built for them, granting at the same time a considerable tract of land for their support. In the 163d year of his age, this modern Nestor was in the enjoyment of the most robust health.

MAY.

GREAT BRITAIN.

The foundation stone of the Hammersmith Bridge was laid by the Duke of Sussex who officiated on the occasion as grand architect.

Various fossil remains, among which are some bones of a gigantic crocodile, and certain traces of the *Megalosaurus* and *Plesiosaurus*, have been found in the sand-stone of Tilgate Forest, Sussex; and also those of an enormous animal, thought to be the *Ignadom*. The teeth are evidently those of an herbivorous creature of extraordinary size, not less, according to the proportions of the remains, than sixty feet in length; and it is considered to have been an amphibious species of animal.

A whale of extraordinary magnitude was thrown on the beach, about three quarters of a mile to the north of Tunstall, in Holderness. It is an inhabitant of the southern seas, being the *Physeter Macrocephalus*, or spermaceti whale. It was observed floating in the sea, previous to its coming on shore, and was followed for some time by two fishermen, who, supposing it to have been alive, appear to have been afraid to approach it, and consequently gave up the chase. Its length is about 60 feet.

FRANCE.

The Coronation of Charles X.

"RHEIMS, MAY 30."

"Before five o'clock in the morning, the doors of the cathedral were besieged by the crowd. At six they were opened, and at half-past six all the galleries in the body of the church, the choir, the sanctuary, &c. were filled.

* Probably an erratum for 29th.

"The

"The galleries reserved for the Dauphiness, the Duchess of Berry, and the Princesses of the blood, were on the right of his Majesty's pew, opposite the gallery of the diplomatic body.

"The peers of France, and great officers of the crown, were placed on the steps of the choir. On the right, the deputies and mayors of the good cities, the prefects, and many other public functionaries, called to the coronation by sealed letters.

"The royal courts, the tribunals, a great number of general officers, occupied the steps in the body of the church, to the right and left. The galleries erected on both sides between the pillars were filled with ladies, most of them presented.

"The Dauphiness had a robe embroidered with silver on a gold ground, and a diadem sparkling with diamonds. The Duchess of Berry wore a crimson-coloured robe bordered with silver lama; she wore in her hair a wreath of roses mixed with diamonds. The Princesses of the blood wore white robes worked with silver.

"At half-past seven the clergy repaired to the cathedral.

"The Archbishop of Rheims advanced towards the altar, preceded by the Bishops of Soissons and Rheims acting as deacon and sub-deacon, and by the Archbishops of Besançon and Bruges, and the Bishop of Autun and Evreux, appointed to chant the litanies.

"Cardinals Clermont-Tonnerre and La Fare, assisting his Majesty, went to fetch the King from his apartments, preceded by the Chapter.

"The Chapter having arrived

at the door of his Majesty's chamber with the Dauphin, the Dukes of Orleans and Bourbon, the great officers of the crown, the officers of the household having functions to perform in the ceremony of the coronation, and the principal Chapter of the Cathedral, knocked at the door. Prince Talleyrand, the high chamberlain, said, in a loud voice, 'What do you desire?' The Cardinal Clermont-Tonnerre answered, 'Charles X., whom God has given us for our king.'

"The doors were then opened by his Majesty's porters.

"The two Cardinals then approached the King (who rose from his seat) and saluted his Majesty.

"The Dauphin, and the Dukes of Orleans and Bourbon, then proceeded to the church, conducted by the master of the ceremonies, and preceded and followed by their chief officers, who took their places in the sanctuary, except the Lieutenant of the King's Gardes du Corps on duty about the Dauphin, who remained with his Royal Highness.

"The first of the two Cardinals presented the holy water to the King, and repeated the prayer—'*Omnipotens sempiterne Deus, qui famulum tuum,*' &c., after which the two Cardinals conducted the King to the church.

[Here follows the details of the procession to the church, during which the anthem *Ece, mitto angelum meum*, &c. was chanted.]

"The King wore a silver robe; his slippers were trimmed with silver, and he had a cap (*toque*) of black velvet, with two white aigrettes, separated in the middle by a diamond cross.

"When the King arrived at the door of the church, Cardinal La Fare

Fare repeated the prayer, *Deus, qui scis genus humanum*; after which, the psalm, *Domine, in virtute tuo letabitur Rex*, was chanted. During the psalm, the clergy took their places, and the King was conducted by the two cardinals to the foot of the altar, where his Majesty knelt down.

"The Archbishop of Rheims, as soon as the King entered the choir, said over his Majesty the prayer, *Omnipotens Deus, Cælestium Moderator*; after which his Majesty was conducted to the seat prepared for him in the middle of the sanctuary, under the high canopy. After the princes, the great officers, &c. had taken their places, the Archbishop of Rheims presented holy water to his Majesty, who rose to receive it.

"His grace afterwards gave holy water to the whole assembly, and then withdrew behind the high altar to put on his pontifical robes; he then brought the holy phial (*Sainte Ampoule*).

"During this time the choir chanted *septe*.

"His grace having saluted the altar, and the King commenced the *Veni Creator*, his Majesty remained kneeling during the first verse:

"After the *Veni Creator*, the archbishop advanced to the King, accompanied by his two assisting cardinals, bearing one the book of the Evangelists, the other the relic of the true cross; he took the book, on which he placed the relic, and held it open before his Majesty, to whom he presented the forms of the oaths, placed thus on the book of the gospel.

"The King, seated and covered, with his hand placed on the book and on the true cross, pronounced the following oaths:—

Oath of the Coronation.

"In the presence of God, I promise to my faithful people to maintain and to honour our holy religion, as becomes the most Christian King and eldest son of the church; to do good justice to all my subjects, and to govern conformably to the laws of the kingdom and the constitutional charter, which I swear to observe faithfully, so help me God and his holy gospel."

"*Oath of the King, as Chief and Sovereign Grand Master of the Order of the Holy Ghost.*

"We swear to God, the Creator, to live and die in his holy faith and the Catholic Apostolic Roman religion, to maintain the order of the Holy Ghost, without suffering it to lose its glorious prerogatives, to observe the statutes of the said order, and to cause them to be observed by all those who are or shall be (*members of it**), reserving to myself, however, to regulate the conditions of admission according to the good of our service."

"*Oath of the King, as Grand Master of the Royal and Military Order of St. Louis, and of the Royal Order of the Legion of Honour.*

"We solemnly swear to God to maintain for ever, without suffering them to lose their glorious prerogatives, the royal and military order of St. Louis, and the loyal order of the Legion of Honour, to wear the cross of the said orders, to cause their statutes to be observed: this we swear and promise on the holy cross and the holy gospels."

* These words appear to be omitted by mistake in the French.

"After

" After the oaths, the King being led to the altar by two cardinals, put off his upper robe, which was taken by the first gentleman of the chamber, and delivered to the first valet-de-chambre. The King gave his cap to the first gentleman master of the wardrobe, who delivered it to the senior valet-de-chambre.

" The King, who had on only a *salon camisolle*, embroidered with silver, and open at the places where the unction was to be performed, remained standing during the prayers. The high chamberlain put on his Majesty the boots of purple velvet, embroidered with *fleurs-de-lis* in gold.

" The Dauphin put on his Majesty the golden spurs which were on the altar; the Duke of Conigliano, acting as constable, laid aside his sword, and advanced to the King, who rose and approached the altar, when the archbishop blessed the sword of Charlemagne, saying the prayer, *Exaudi, quæsumus, Domine, preces nostras*, &c. The archbishop then girded the sword about the King, and immediately took it off, and, drawing it from the scabbard, presented it to him, saying, *Accipe gladium tuum*: after which the King kissed the sword and replaced it on the altar. After several other prayers, the archbishop prepared for the sacred unction. The King, conducted by the two cardinals, sat down. The archbishop opened the reliquary containing the holy phial, and, with the point of a golden needle, took out a portion, which he mixed with consecrated oil. The choir chanted the anthem, *Gentem Francorum inclytam*, &c. The two cardinals opened the places in the

King's garment for the unction, and led his Majesty to the altar, where he knelt down on cushions placed for the purpose. Then the four prelates appointed to chant the litanies advanced to the foot of the altar. After the litanies prayer, the archbishop took his place on the seat with his back to the altar. The King was conducted by the two cardinals to the archbishop, and knelt down. The archbishop, seated, with his mitre on his head, said the prayer, *Omnipotens sempiterne Deus, gubernator Cæli*.

" The Bishop of Soissons took from the altar the holy oil, and presented it to the archbishop, who took some with his thumb to anoint his Majesty on the usual places—

" 1st, on the crown of the head, making the sign of the cross, and saying, *Ungo te in regem de oleo sanctificato*; 2d, on the breast; 3d, between the shoulders; 4th and 5th, on the right and left shoulders; 6th and 7th, on the back of the right and left arms; making each time the sign of the cross, and repeating, *Ungo te*, &c.

" The high chamberlain put on his Majesty the tunic and the dalmatica of crimson satin, embroidered with *fleurs-de-lis* of gold; and over this the royal mantle of purple velvet, with gold *fleurs-de-lis*, lined and trimmed with ermine. The King being in the royal robes knelt down. The archbishop, seated, took the holy oil from the bishop, acting as deacon.

" After the prayers, the first valet-de-chambre presented to the deacon a pair of gloves in a plate of silver gilt, which the deacon held while the archbishop blessed the gloves, saying, *Omnipotens Creator*;

Creator; and the archbishop sprinkled the gloves with holy water, and put them on the King. The same ceremony took place for the ring, which his grace put on his Majesty's fourth finger, saying, *Accipe annulum*. The delivery of the sceptre and rod of justice was performed in the same manner. The archbishop, with both hands, took from the altar the crown of Charlemagne, and placed it above, over the King's head, without its touching his Majesty. The princes put their hands to it to support it. The archbishop, holding it with his left hand, said, making the benediction with the right, *Coronet te Deus coronâ gloriæ atque justitiæ*. After which, alone, he placed the crown on the King's head.

"The Dauphin and the princes a second time put their hands on it, as if to support it, and he said, *Accipe Coronam Regni, in nomine Patris, &c.*

"The ceremony of the coronation being finished, the archbishop raised the King by the right arm, and his Majesty was conducted to his throne. His Majesty was attended in the same manner as on his entering the church, the Duke of Cornegliano bearing the sword of Charlemagne naked in his hand.

"Every body standing, the archbishops holding the King by the right arm, and turned towards the altar, said the prayer, *Ita et retine a modo statum*. Then the King being seated, the archbishop holding his Majesty by the hand said, *In hoc regni solio confirmet te, &c.* The prayers being ended, the archbishop put off his mitre, made a profound obeisance to the King, kissed him on the forehead, and said, *Vivat Rex in æternum*.

"The Dauphin and the princes took off their crowns, which they placed on their seats; they advanced, and each of them received the embrace from the King, saying, *Vivat Rex in æternum*.

"At this moment the trumpets sounded—the people entered the church—the heralds distributed the medals: a thousand birds were let loose, all the bells were rung, and three volleys of musketry, fired by the infantry of the royal guard, were answered by the artillery of the ramparts of the city.

"After these ceremonies the archbishop chanted *Te Deum*, then high mass was celebrated, during which the Dauphin and the princes took off their crowns, and the cardinals their mitres.

"The Dauphin took the King's crown and laid it on the desk of his Majesty's pew. After the gospel he replaced the crown on the King's head, and resumed his own, as did the princes.

"During the offertory, the king at arms and three heralds carried the offerings to four knights of the Holy Ghost. These offerings are, a vase of silver gilt, containing the wine; a silver loaf, a gold loaf, and a large dish of silver gilt, containing the medals struck on the coronation.

"After the elevation of the host, the high almoner, Prince de Croi, went to take the kiss of peace from the archbishop; then, going up to the throne, he gave it to the King; the Dauphin and the Princes of the blood came to receive it of his Majesty, when the Dauphin bent his knee. The Dauphin having received the King's embrace (*accolade*), bent his knee to his august father, who raised

raised him and held him long pressed in his arms. This affecting scene made a profound impression on the assembly, and tears produced by the sweetest emotions were mingled with numerous cries of '*Vive le Roi! Vive le Dauphin!*' The enthusiasm of the spectators was without bounds. His Majesty afterwards took the sacrament in both kinds; after which the Dauphin approached the King, and delivered his crown to him again. His Majesty remained a few moments on his knees in prayer, after which the archbishop took from him the crown of Charlemagne, and gave him a lighter one.

"He afterwards returned to his apartments, and repaired to the royal entertainments in the great hall of the archiepiscopal palace."

JUNE.

GREAT BRITAIN.

London Bridge.—The first stone of the New London Bridge was laid by the Lord Mayor with much civic ceremony. The stone used on this occasion was a mass of Aberdeen granite, weighing nearly five tons, and the foundation of the pier rests on piles driven 20 feet into the bed of the river; upon these is a layer of timber two feet thick, over which a course of brick-work, and another of stone, each two feet six inches deep, formed the floor. In the centre of the pier (which is 40 feet by 90), a rectangular space was excavated to the depth of seven inches, 21 in length, and 15 in width. The Latin inscription on the plate is from the pen

of the Rev. Dr. Coplestone, of which the following is a translation:—"The free course of the river being obstructed by the numerous piers of the ancient bridge, and the passage of boats and vessels through its narrow channels being often attended with danger and loss of life by reason of the force and rapidity of the current, the city of London, desirous of providing a remedy for this evil, and at the same time consulting the convenience of commerce in this vast emporium of all nations, under the sanction and with the liberal aid of Parliament, resolved to erect a bridge upon a foundation altogether new, with arches of wider span, and of a character corresponding to the dignity and importance of this royal city: nor does any other time seem to be more suitable for such an undertaking, than when, in a period of universal peace, the British empire, flourishing in glory, wealth, population, and domestic union, is governed by a Prince, the patron and encourager of the arts, under whose auspices the metropolis has been daily advancing in elegance and splendour. The first stone of this work was laid by John Garratt, Esq., Lord Mayor, on the 15th day of June, in the sixth year of King George the Fourth, and in the year of our Lord M.DCCC.XXV.; John Rennie, F. R. S. Architect."

JULY.

GREAT BRITAIN.

The New College of Physicians in Pall Mall was opened. The Dukes of York, Cambridge, Sussex, and Gloucester, and Prince Leopold, were present.

London

London University.—The following is the prospectus of the London University. The whole expense of education will not exceed 25*l.* or 30*l.* a year, including the sums paid to the general fund; and there will not be more than ten weeks of vacation in the year. A fortnight's vacation will be allowed at Christmas and Easter, and six weeks from the middle of August till the end of September. The money being raised by shares and contributions, each holder of 100*l.* share will receive interest on the same at a rate not exceeding four per cent., payable half-yearly, and be entitled to send one student to the university. The shares will be transferable by sale and bequest; and they will descend to the holder's representatives in cases of intestacy. The money due on them will be paid by instalments, as it may be required; but it is calculated that only two-thirds will be called for; and the remaining 33 per cent. will be considered as a fund of reserve, in case of any extension of the plan, or other unfavourable exigencies. No person can hold more than ten shares. Each contributor of 50*l.* will have all the privileges of shareholders during his life, except that of receiving interest, and transferring his rights. The interest will be paid out of the revenues of the institution, and the yearly produce of the sums received from time to time beyond what is required for current expenses. Each student is to pay five guineas a year to this general income, besides one guinea to the library, museum, and collection of maps, charts, drawings, and models.

Turnpikes.—The report of the

select committee on Metropolis Turnpike Trusts shews there can be no doubt that the present system of management pursued under these trusts, is one which ought to be terminated as soon as possible. In every respect the public suffer from it. More money is raised than is necessary, and yet the roads are not in so good a state of repair as they ought to be. The multiplicity of these trusts is also a source of great loss and inconvenience. A memorable specimen of the excess to which this evil has been carried may be found in the fact, that "no less than four several acts of Parliament, constituting four separate trusts, viz. City Road, Old Street, Bethnal Green, and Shoreditch, with different bodies of trustees, and all the expenses attendant on four distinct establishments, comprise within them only a distance of four miles and a half." The vexatious delays and intolerable expense resulting from these causes, constitute no trifling grievance. By way of remedy, the committee strongly recommend "a consolidation of the whole of the trusts (sixteen) in the county of Middlesex, under one act of parliament, to be conducted by one uniform system of management."

Mint Assay.—An assay of coin from the mint took place. The jury saw the experiments on the coins made by calculation, and afterwards melted a certain quantity, to ascertain if the quantity of alloy in the coins was in the proper proportion. By the account of the gold monies coined by the master worker of his Majesty's mint, from June 29th, 1824, to the 1st of July, 1825, agreeably

to the indenture dated Feb. 6, 1817, the total value of the coinage amounted to 5,046,300*l*. A similar account of the silver coined at the same time, after the rate of sixty-six shillings to the pound weight troy, of the standard of eleven ounces two penny-weights of fine silver, and eighteen penny-weights of alloy; together with an account of the small monies coined for his Majesty's maundy, within the year 1825, the whole of which was only of small amount—state the total value of the coinage at 187,761*l*. 16*s*.

Gloucestershire.—Some yarn, which it was ascertained belonged to Messrs. Wyatt and Co., of Vatch Mills, was lately found at a weaver's house, and seized by a number of weavers, who had struck for higher wages, and carried back to the mills, in consequence of which a riot ensued, when some of the party were taken into custody that evening; the next morning nearly 10,000 persons assembled, threatening to pull down the prison if they were not liberated. As the principal evidence against them was endeavouring to get to the magistrate's office, he was seized by the mob, and ducked. The captives, however, were all discharged, excepting one, who was held to bail. After this the mob proceeded to Nailsworth, where they secured fourteen weavers, who had refused to strike, and also ducked them. The disturbances continuing to increase, a party of the 10th hussars was sent from Gloucester, but by the time they arrived the riot had totally subsided.

The number of children educated in Ireland, according to a parliamentary return, is as fol-

lows:—Of the established church, 91,026; presbyterians, 43,236; protestants of other denominations, 3,308; Roman-catholics, 357,249; religion not stated, 3,822—total, 498,641. These are exclusive of Sunday-schools. According to the returns furnished by the Roman-catholic clergy, the whole number of children educated is 522,016, and a still larger proportion of them in the catholic schools. It thus appears that elementary education is received by a larger proportion of the inhabitants of Ireland than England.

AUGUST.

GREAT BRITAIN.

Don Juan Romero Alpuente has lately arrived in London, having been proscribed by the government of Ferdinand, at the advanced age of 80. After undergoing incredible hardships, he effected his escape to Gibraltar, and sought an asylum in this country. He was one of the most distinguished deputies of the Cortes during the period of the constitution.

Leicestershire.—At Kibworth, the church having been for some time undergoing repair, whilst the workmen were gone to take refreshment, the whole mass of the steeple, tearing itself from the other part of the building, fell to the ground! The fall took place on the western side, and involved in one immense pile of ruin, the bells, clock, and every thing before connected with the building. The bells have been taken from the mass uninjured. No human being suffered.

Monmouthshire.—The ceremony of laying the foundation-stone of a new bridge, to be erected over the river

river Wye, a little above Bigswear, took place in the presence of a very respectable meeting of trustees, and an assemblage of the neighbouring gentry. This bridge, which is to consist of a single arch of cast iron, 160 feet span, is to be erected in a new line of road now making, to form a communication between the towns of Chepstow and Monmouth. Commencing at the admired village of St. Arvan's, it takes the course of the Wye to Redbrook, and, winding along its beautiful banks, presents a continually varying scene of beauty and grandeur, including the picturesque grounds of Piercefield, the sublime and richly wooded height of Wyndcliff, the celebrated ruin of Tintern Abbey, &c.

The first stone of a monument, near the town of Carmarthen, in honour of General Sir Thomas Picton, was laid with great pomp. Beneath it were placed specimens of all the gold, silver, and copper, British coins of the present reign, together with the Waterloo medal of the late Sir Thomas Picton. They were covered with a plate bearing the following inscription:—

This

The First Stone of the Column
Erected to the Memory of our Gallant
Countryman,
Lieut.-General SIR THOMAS PICTON,
Knight Grand Cross of the Bath, and of
several Foreign Orders,
Who, after serving his King and Country
In several Campaigns,
Died gloriously at the Battle of Waterloo,
Was laid by
The Rt. Hon. Frances Baroness Dynevor,
Assisted by
Sir Christopher Cole,
(Knight Commander of the Bath, Captain
in the Royal Navy of Great Britain,
Member of Parliament for the County
of Glamorgan, and Provincial
Grand Master of Masons
for South Wales.)
On the 16th day of August, 1825.

RUSSIA.

A race took place on the 4th of Aug. near St. Petersburg, between 2 English and 2 Cossack horses, distance 71 versts, or 47 1-3 English miles. The stakes were for 50,000 roubles (about 2000*l.*) and the road fixed upon was from the Ligova canal, through Zarskojeselo to Galchina, a distance of 35½ versts, and back to the starting post. The road is paved at the bottom, and the surface hard and stony. The Cossack party had taken every precaution to procure the best horses of the breed. Count Orloff Deneessoff went himself to the Don, to pick them out, and there was not a tribe of the Cossacks but what furnished their quota. Cossacks of the Don, the Black Sea, and the Ural, Calmucks, Bashkirs, and Kirgues, all sent their most celebrated racers; and in this way, about twenty horses arrived at St. Petersburg, from which the two best were selected, after a variety of trials. In the mean time, the English horses were neither seen nor heard of. It was only known that Count Matueszewic had imported some for the purpose, with grooms to train and ride them. The horses fixed upon were a bay Cossack, of the stud of the late Hetman, Count Platoff, and a chestnut Leonide, of the stud of Count Kuteinikoff. The former was rather a coarse, vulgar animal, high in the hips, but good in the loins, and shewing considerable powers. The latter, though bred on the Don, was a very neat horse, betraying clearly its Arabian descent.—The English horses brought to the post by Count Matueszewic, were Sharper, bred by the Earl of Egremont;

Egremont; and Mina, bred by Lord George Cavendish. The horses started at five minutes past five in the morning, the Cossacks leading on one side of the road, at a moderate pace, and the English following on the other side, about three or four lengths. Before they had gone half a verst, the stirrup-iron of the person who rode Sharper, broke, and the horse ran away with him, passing Mina, who would not stop behind. Owing to this accident, the two English horses ran at a tremendous pace up Pulkova hill, and through Zarskojeselo, bidding defiance to the utmost exertions of their riders; the Cossacks following about two hundred yards behind. The English horses arrived at Gatchina in one hour and four minutes, the Cossacks coming in two minutes after them. The English horses were quite fresh, as was the chestnut Cossack, but the bay was much distressed, and fell about three versts after turning, never appearing again in the race. Before reaching Zarskojeselo, on their return, Mina burst his coronet, from the hardness of the road, and was immediately pulled up and taken away. Soon after this, the remaining Cossack began to flag, and the accompanying Cossacks, contrary to all rule and agreement, began to drag him on by the bridle, throwing away the saddle, and putting a mere child on his back. Before reaching Pulkova hill, Sharper shewed the effects of the pace he had gone when running away at the early part of the race, and on descending the hill, was much distressed; but it was evident he must win, in spite of the foul play of the Cossacks, who

1825.

now fairly carried on their horse, some dragging him on by a rope and the bridle at his head, others actually pulling him on by the tail, and riding alongside of his quarters to support him, and push him along, relieving each other repeatedly in this fatiguing employment. Sharper cantered in much distressed, but game enough to have gone considerably farther. He did the whole distance in two hours and 48 minutes and forty seconds; and had it not been for his running away, might have done it in less time, without being so much distressed. The Cossack was warped and carried in eight minutes after him; and had he been left to himself and his rider, would undoubtedly have remained at Pulkova hill. The English horses, at starting, carried full three stone more than the Cossacks, and during the latter half of the race, the difference was still greater, the Cossack being rode by a mere child, for form's sake. The concourse of spectators was immense, and amongst others, the Grand Dukes Nicholas and Michael were present. The road for the whole distance was lined with Cossacks of the Guards, at regular intervals.

But few original works have appeared in Russia during the last year. Among the principal are the History of Russia, by M. Karamsin; Tales, by M. Naréjny; and Travels into Mongolia and China, by M. E. Timkofsky; the last of which contains some new and curious details. Ancient literature has been enriched by the publication of an old manuscript of John the Exarch, of Bulgaria, with notes, by M. Kalaidovitch;

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for

for which publication the world is indebted to Count Roumiartsof, the chancellor of the Russian empire. Several of Sir Walter Scott's novels have been translated into the Russian language. Various poems have likewise appeared. The theatre has produced several novelties; one of the chief of which is a comedy in two acts and in verse, by Prince Chakhofskoy, called, "Thou and You." The subject of this piece is derived from Voltaire's celebrated epistle.

PERSIA.

Olaf Phélair, the celebrated Persian poet, died lately at Ispahan, aged 96. The Sophi had just granted him a considerable pension from the treasury; he was very expensive in his living, his principal food being the flesh of larks, which were brought from Europe, and he went very rarely on foot. He has left no children.

CHINA.

The Russian traveller, M. Timbowsky, collected during his stay in China some remarkable data relative to the present state of the military force of that empire, which, expressed in numbers, seems very formidable, but is far from being so in reality. The regular troops are divided into four corps. The first corps, 67,800 strong, consists of Mantchous, the conquerors of the empire, to which nation the family of the reigning emperor belongs. These troops are the flower of the whole army, and enjoy extraordinary privileges. The second corps, of 21,000 men, consists of Mongols. The third, of 27,000 men, is composed of Chinese, whose ancestors joined the

Mantchous, and assisted them in the conquest of the empire. The fourth corps, which is the least esteemed, though the most numerous, is also Chinese: it is stated to amount to 500,000 men, who are dispersed in garrisons in the interior of the empire. If we add to these 125,000 Chinese militia, the whole Chinese army will make 740,000 men, of whom 175,000 are cavalry. There is, besides, a Mongol cavalry, which, with respect to its organization and the nature of its service, may be compared to the Russian troops from the Don and the Ural. Its amount is not accurately known, but is stated by some at 500,000 men. All the Chinese soldiers are married; and their children, who are entered in the lists of the army from their very birth, recruit the corps to which they belong. Besides arms, a horse, a house, and a quantity of rice, each soldier of the first, second, and third corps, receives a monthly pay of three to four *lanes*, (six to eight silver rubles,) but must provide himself with clothing. The troops of the fourth corps are furnished by the government with lands, which they must cultivate for their subsistence. Notwithstanding the immense sums which the maintenance of this force costs, and which is said to amount to 87,400,000 *lanes*, the spirit and discipline of the troops are at an inconceivably low ebb.

TURKEY.

Aleppo, Aug. 12.—The Sultan has issued the following firman:—

"Know, I have learned that books, such as the Bible, Psalter, the Gospels, and the Epistles of the Apostles, have been printed in Europe

Europe to the number of two or three thousand copies of each, together with a treatise in the Persian language, and that two or three hundred copies of each kind, with four or five of the Persian treatise, have come to my capital. Now, as it is my duty entirely to prevent the arrival of such things in the empire under my government, you have to order these books back to Europe; and if such should in future arrive at the custom-house, to make a strict examination, and to take care that none of these books be sold in my capital. You will also see that no Mussulman obtains such books: and if there should be any copies of them, that they be taken away and thrown into the fire to be consumed by it; and above all things, let none of them be sold or bought in any country belonging to my empire."

This firman was sent also to the *cadi* of this city, who, thereupon, called together the chiefs of the several Christian communities, and commanded them to enjoin such of their brethren as had any of these prohibited books in their possession, to deliver them up, threatening to hang all those who should be found to have retained the books. It is affirmed, however, that yesterday evening not a single copy had been delivered up. All those persons who speak on the subject, the Roman-catholics as well as the other Christians, believed that this firman had been issued at the instance of the Roman-catholic clergy.

SEPTEMBER.

GREAT BRITAIN.

State of Newgate.—A summary statement of the various offences

with which the prisoners for trial severally stand charged:—murder 4, burglary 6, housebreaking 5, horse-stealing 7, highway robbery 8, cutting and maiming 1, rape 1, sodomy 2, forgery 9, stealing in dwelling houses 27, maliciously killing horses 1, embezzling 8, assaulting with intent to rob 1, bigamy 4, manslaughter 3, stealing from the person 13, receiving stolen goods 4, found stealing from letters while employed in the Post-office 2, uttering counterfeit coin 3, larcenies 247—total 411. Of the above number, there are 82 prisoners charged with crimes alleged to have been committed in the city of London, and 329 in Middlesex. At the corresponding sessions of last year, there were only 318 prisoners for trial, making an excess this year of 91.

Prisoners under sentence of transportation for life . . .	28
Under sentence of transportation for 14 years . . .	8
Under sentence of transportation for 7 years . . .	29
Under sentence of imprisonment for felony, &c. . .	12
Insane	2
Committed under the bankrupt laws	1
Whose judgments are respited	1
Remanded	1
For trial at the ensuing sessions	411

Total . . . 493

London Mechanics' Institute.—A quarterly meeting of this institution was held at the theatre, Southampton-buildings. The report was read, by which it appears that 525 new members have been admitted during the last quarter, making the total number 1483; that

that the erection of the theatre cost 3700*l.*, the whole of which was advanced by Dr. Birkbeck; and that on the other buildings and improvements 1170*l.* have been expended. The state of the accounts was then submitted; by which it appeared that, after all their expenditure, the finances of the institution were in a most flourishing condition, there being an unappropriated balance in their bankers' hands amounting to upwards of 1000*l.*—A resolution was passed enabling the committee to admit professors who would deliver a course of lectures gratis, and distinguished foreigners as honorary members.—Thanks were then unanimously voted to Dr. Birkbeck, the founder, who, in making his acknowledgment, expressed his gratification that among the benefits produced by the London Mechanics' Institution was the rapid formation of similar institutions all over the country; and it was truly gratifying to observe, that the establishment of Mechanics' Institutions was uniformly attended with increased order and respectability of the important class of society of which they were composed: in every particular realizing the expectations of those who advocated the improvement of mind as the best means of improving the conduct, and promoting the happiness of man.

EAST INDIES.

A battle was fought at Deenackie, near Samarang, on the 2d September, between ten thousand native troops and the European forces; the latter is estimated at only three hundred, of which sixty were English, chiefly sailors. The

Dutch troops were totally defeated.—30,000 packets of coffee were burnt, and the enemy destroyed all the coffee trees and sugar-canes.

WEST INDIES.

A dreadful hurricane has been experienced, particularly in the French islands. Basseterre has been completely devastated, five hundred houses having been swept away, or wholly unroofed.

THE NETHERLANDS.

The King of the Netherlands has lately caused to be erected, on the building of the academy of Leyda, a small observatory, for the reception of a telescope which was made by three peasants, named Roeloss, Sieds, and Rieuks. The mechanism of this instrument is so well arranged, that it can be directed to any point by the hand of one person only. It is twelve feet long and one foot in diameter, and the lenses are consequently about a foot in thickness. The body and stand of the instrument are of fine mahogany, admirably worked and polished, and the whole is a fine specimen of workmanship, unassisted by any previous knowledge of the subject.

POLAND.

Warsovia.—The following information is extracted from the report of the minister of the interior, Count Mostowski, as to the state of affairs since the second diet, that is, during the last four years. In consequence of the number of reformers, sixteen extra parishes have been created, and they have already commenced building houses for their Lutheran ministers. The organization of

the Jews has been meliorated, and 327 inspectors have been established, to watch over the affairs of the ecclesiastics. The funds allowed for public instruction, have amounted to 6,536,509 florins, and the profits arising out of the schools amounted to 896,784 florins; which sum has remunerated the temporary class-masters, and purchased a great addition of books, mathematical instruments, &c. &c. The botanical garden belonging to the university is beginning to vie with the best in Europe—containing 10,000 species of plants. The university library, which is always increasing, contains 150,000 volumes, among which are many very rare and curious works. The university has two buildings added, for the purpose of museums of natural and experimental philosophy. A printing-office and lithographic presses are established near the university. There is an elementary society formed for the examination of the candidates for professorships, masters, &c.; which situations are generally ably filled by Poles. The Institution for the Deaf and Dumb supports twelve poor beings, who are taught various works. Sunday schools are open in various parts of the kingdom. Limits have been made to civil procedures; so that, in the last four years, 15,908 causes have been determined by justices of peace. Iron rail-roads have been constructed from Kalish to Brezesc, sixty German miles, in uninterrupted length. High-roads have been constructed in the palatinates of Cracovia, Lublin, Plock, and Angustow, and 523 bridges. The country has ceased to be tributary to foreign nations, in many important points. Their manu-

factory of cloth is sufficient for the wants of the people. More than 10,000 foreign manufacturing families have peopled new towns. The mines of Poland produce, independently of silver, copper, and lead, the exportation of which might be made very considerable, 100,000 quintins of iron, equal to that of Sweden; more than 40,000 quintins of zinc; and 5000 of pit-coal. The report, in every other particular, shews an increase and improvement in the manufactures and general prosperity of the country that is truly satisfactory.

OCTOBER.

GREAT BRITAIN.

A quarterly general court of Bank proprietors was held for the purpose of considering of a dividend. The chairman declared that the court of directors, after a full consideration of the affairs of the bank, agreed to recommend a dividend of four per cent. for the half-year next ensuing. Mr. Young asked a number of questions of the chairman—the first, as to the amount of bank-notes in circulation; to which the reply was, 18,200,000*l.* being about 400,000*l.* less than the issues of last year.—The second, the amount of advances on exchequer bills; the reply, 670,000*l.*—The third question was as to the amount of advances on mortgages; to which the chairman answered, 1,400,000*l.*: and that he was in error when he stated at the last quarterly court that the advances on stock had been from 5 to 600,000*l.*—they were not more than 480,000*l.* and there had been little increase on them; and that as to the late violent change which had been

produced in the money market—that had not been produced by any conduct on the part of the court of directors, which pursued such measures as were deemed beneficial, without listening either to good or evil report.—After some conversation as to the expediency of giving notice to parties on the execution of warrants of attorney, in order to prevent forgery, when the chairman stated that no new precautionary measure had yet been found expedient, the resolution for declaring a dividend of four per cent. for the next half-year was carried unanimously; and the court adjourned.

A statue has just been erected in the cathedral of St. Paul to the memory of Lord Heathfield, who, under the more celebrated name of General Elliott, annihilated the power of Spain before the fortress of Gibraltar.

A riot most disreputable to the city of Oxford occurred. A Mr. Mulock preaching some heterodox doctrine in the estimation of certain persons there, had attracted much attention. His principal followers were the son of a most opulent and respectable banker; a chemist, in a very extensive business in the High-street; and the son of one of the managers of the Clarendon printing-office. This afternoon, two of these gentlemen were furiously attacked by a mob in St. Thomas's parish; they gained admission into a house, and locked the doors; but they were forced open, and the two gentlemen then became exposed to the fury of the assembled crowd, who drove them out of St. Thomas's through the wharfs, and into St. Giles's, in which place they took refuge in a house, and

remained for some time. About seven in the evening, in returning home, they were again attacked upon Carfax; they ran into the Town-hall-yard, and the doors were locked. Some time after they ventured out, and appeared in a strange pickle, being covered with mud and filth of every description; their hats knocked off and lost. With some difficulty they reached the house of the chemist (opposite to St. Mary's church); several windows were broken, and a riot ensued.

Durham.—The Darlington and Stockton railway was opened for the use of the public. It is a single railway of twenty-five miles in length, and will open the London market to the collieries in the western part of Durham, as well as facilitate the obtaining of fuel to the country along its line, and the northern parts of Yorkshire. A train of carriages was attached to a locomotive engine of the most improved construction built by Mr. George Stephenson, in the following order:—Locomotive engine with the engineer and assistants; tender, with coals and water; six waggons loaded with coals and flour; a coach, with the committee; twenty-one waggons, fitted up for passengers; and lastly, six waggons loaded with coals; making altogether a train of thirty-eight carriages exclusive of the engine and tender. Both loaded and empty carriages were instantly filled with passengers, and the engine started off. In some parts the speed was twelve miles per hour; and in one place, for a short distance, near Darlington, fifteen miles per hour; and at that time the number of passengers were counted to 450, which, together

gether with the coals, merchandize, and carriages, would amount to nearly ninety tons. After some little delay in arranging the procession, the engine with her load arrived at Darlington, a distance of eight miles and three quarters in sixty-five minutes, exclusive of stoppages, averaging about eight miles an hour.

A trial was made at Lyme, of a boat, furnished with copper air-tight cases, according to the plan recommended by Capt. R. Spencer, R. N. in order to obviate the great expense of the regular life-boat. The boat was of small dimensions, and borrowed for the purpose: under the thwarts were placed the air-tight cases of thin copper, enclosed in boxes of three-quarters of an inch Norway deal, for greater security; outside the boat, and attached to the gunwale, were also two similar cases, five feet in length and eight inches square. Capt. Spencer found three seamen volunteers to accompany him; when, having pulled out the plug, and filled the boat with water, they rowed out where the sea ran the highest, and laid her broadside to the surf, which broke over her so violently as to render it difficult for the men to prevent themselves from being washed out of the boat. Having fully ascertained that she was perfectly safe when filled with water, they baled her out, and rowed out in the heaviest sea to the S. E. point of the Cobb, where she was placed in every direction to receive the shocks of the sea, which were sustained in a manner such as the most sanguine could not have anticipated.

RUSSIA.

The Emperor has ordered all the Jews in his empire to settle

fifty wersts from the western frontier, and they are entirely prohibited from residing in the provinces of Astracan and Caucasus.

NOVEMBER.

GREAT BRITAIN.

The first stone of the new bridge at Kingston upon Thames was laid by the Earl of Liverpool.

A court-martial has been held at Sheerness, on Captain Hoppner, for the loss of the *Hecla* on the northern expedition, from which he has recently returned. The accident being proved to have occurred from circumstances beyond the control of human foresight, the Captain was honourably acquitted.

A marble statue to the memory of Dr. Jenner has been erected in Gloucester Cathedral. It is placed at the west end of the nave, immediately before the first pier on the south side. The execution of this public monument reflects credit upon the sculptor Sievier. The Doctor is represented in the gown of his Oxford degree, which gives a fine display of drapery, so arranged as to render unobtrusive the ungraceful forms of modern costume, and at the same time to impart to the figure a degree of height and dignity which it might otherwise have wanted. In his right hand, which crosses the body, and supports a fold of the gown, he holds a scroll; and in his left, which drops carelessly on the side, the appropriate academical cap. The figure is beautiful, distinguished by a classical elegance and simplicity; and, through the skill of the artist, seems to convey to the mind of the

spectator an idea of that spirit of philanthropy which ever actuated the illustrious discoverer of vaccination. The statue is seven feet in height, placed upon a pedestal and base of eight feet. Upon the die of the pedestal is simply inserted, Edward Jenner, with the time and place of his birth and death, eulogium being an unnecessary accompaniment to a name which is never breathed but with blessings, and which has won its way into the remotest corners of the habitable globe.

FRANCE.

Lyons.—A young and beautiful girl, 17 years of age, committed suicide, by throwing herself into the Rhone. The cause of this dreadful deed is as follows:—The unfortunate lady belonged to highly respectable parents, but whose fortune being small, she was sent to a convent in this town, and every means were used to induce her to take the veil. She expressed her extreme aversion to become a nun. She was told that unless she complied, the parents had no other alternative than to send her to service; this she was aware was a measure totally uncalled for, their fortune being sufficient to support her in a becoming way. It has since appeared that she had formed an attachment to a young gentleman, who, when he became of age, intended to marry her. This would have taken place in less than eight months.

HOLLAND.

A fine falcon, of the blue-grey kind, better known as the Falco

Ciureus, or blue falcon of Canada, was lately caught at Zwolle (in Holland). This beautiful and extraordinary bird inhabits Africa and Europe, as well as America. The velocity of its flight enables it, within the space of twelve hours, to fly across a quarter of the globe. The distance between the ends of the pinions of this wonderful bird; when flying, is upwards of 100 Dutch inches, whereas the mere weight of its body is only about eight ounces.

DECEMBER.

GREAT BRITAIN.

London University.—A meeting of the shareholders of this joint stock company was held at the Crown and Anchor Tavern, for the purpose of electing 24 gentlemen to form a Council in the room of the Provisional Committee. The Provisional Committee recommended to the notice of the shareholders the following 24 noblemen and gentlemen:—Hon. James Abercrombie, M.P.; Right Hon. Lord Aucland; Alexander Baring, Esq. M.P.; George Birkbeck, M.D.; Henry Brougham, Esq. M.P. F.R.S.; Thomas Campbell, Esq.; Right Hon. Lord Dudley and Ward; Isaac Lyon Goldsmid, Esq.; Olinthus G. Gregory, LL.D.; George Grote, jun. Esq.; Joseph Hume, Esq. M.P. F.R.S.; Most Noble the Marquis of Lansdown, F.R.S.; Zachary Macaulay, Esq. F.R.S.; Sir James Mackintosh, M.P. F.R.S.; James Mill, Esq.; Most Noble the Duke of Norfolk; Lord John Russell, M.P.; Benjamin Shaw, Esq.; John Smith, Esq. M.P.; William Tooke, Esq. F.R.S.;

F. R. S.; Henry Warburton, Esq. F. R. S.; Henry Waymouth, Esq.; John Wishaw, Esq. F. R. S.; Thomas Wilson, Esq.

Steam-Gun Experiments. - At length this formidable weapon, destined, if ultimately adopted, to change the whole system of modern warfare, has been so perfected by Mr. Perkins, that the effects of its projectile power, from a musket bore and with a lead ball of the usual weight, may be fully judged. A trial was made at Mr. Perkins's manufactory in the Regent's Park, before the Duke of Wellington and staff, together with the field officers of the engineers and artillery from Woolwich, most competent to judge from their scientific knowledge. Some preparatory experiments having been made, about the hour of nine, A. M. Mr. Perkins commenced his discharges separately, but at short intervals, against an iron target at the distance of 35 yards, being the utmost length the court-yard of the manufactory would admit. The bullets were rendered perfectly flat with the lowest pressure employed; and on increasing it they were shivered to small pieces. Twelve one-inch deal planks, framed in grooves an inch apart, were then opposed to the gun at the same distance, and the ball passed through eleven of them. It was also discharged at a block of wood, against which the utmost force of gunpowder had projected bullets, and it was found equal to all that gunpowder could do. Musket balls were also sent through an iron plate one-fourth of an inch thick, on which the utmost force of gunpowder had been tried; while that of the steam was not

half as high as it was possible to carry it. The pressure used was about 900lb. to the square inch, or 65 atmospheres, while it might be carried as high as 200 atmospheres with perfect safety. Hitherto steam had shown its equality with gunpowder in force, and at 100 times less expense. For example, it would require 250 musket discharges to project the same number of balls as the steam gun at a slow rate, say 250 discharges per minute, or 15,000 per hour, which would demand 15,000 charges of powder every hour. The steam gun would do this with five bushels of coals. The difference of cost of 15,000 charges of powder and of five bushels of coals is easily calculated. It next became needful to show wherein this terrible weapon of destruction left all that gunpowder could do far beyond competition. To discharge single balls a hopper had been filled with them, and they were dropped one by one into the barrel at the breech as quick as the hand could move a small winch. This winch, with its valve, was now unscrewed, and the barrel communicated with the steam through an apparatus resembling the nave of a wheel, into which it was screwed. A tube, projecting like a single spoke, was screwed into this nave (numerous radii of the same kind were shown in a model applied to one nave, so that in one revolution each would stand in turn perpendicularly over the gun): close to the gun it had a valve, above which were fifty-two musket balls, and a screw closing the orifice of the tube at the top. This tube being perpendicular, the bullets, on opening the valve, fell into the

gun by their own gravity, and were projected one by one, at intervals barely perceptible to the senses, at the rate of 1000 per minute. The roar of the discharge resembled that of the loudest thunder; and the contents of one tube discharged in three or four seconds, afforded the most awful evidence of the power of this "mighty fluid," that imagination can conceive. After a discharge or two of this kind at the target, in which the balls were shattered to atoms, and the ground strewn with their fragments, a plank of deal about two feet wide, placed horizontally against a brick wall, was fired at, giving the gun a trifling lateral motion at the same time. The bullets perforated the board from end to end, regularly, at a few inches only apart from each other, and with astonishing regularity, the gun being capable of motion like the pipe of a fire engine, in any direction. Thus one musket-bore barrel would, in a second or two, annihilate a company of infantry opposed to it in line, and discharge nearly three times as many balls at once, as a company of ninety men could do with muskets previously loaded:—to recharge their pieces before such a weapon would be impossible. What then could not fifty such guns effect? The astonishing precision with which the balls are projected, each hitting within an inch of its predecessor, was exemplified by a discharge against a brick wall 18 inches thick. One discharge literally dug out a hole nearly a foot in diameter half through its entire thickness, and this with common lead balls only, iron ones would have gone through it.

Income of Religious and other Societies.—From the last Reports.

—Bible Societies—British and Foreign, 93,285*l.* 5*s.* 2*d.*; Naval and Military, 2,615*l.* 2*s.* 7*d.*; Merchant Seamen's, 911*l.* 4*s.*

Missionary Societies—Church Mission, 45,383*l.* 19*s.* 10*d.*; London, 40,719*l.* 1*s.* 6*d.*; Wesleyan, 38,046*l.* 9*s.* 7*d.*; Baptist, 15,995*l.* 11*s.* 2*d.*; London Moravian Association, 3,568*l.* 17*s.* 3*d.*; Scottish, 8,257*l.* 4*s.* 2*d.*; Home, 5,092*l.* 15*s.* 10*d.*

School Societies—British and Foreign, 2,114*l.* 19*s.* 3*d.*; Sunday School Union, 4,253*l.* 12*s.* 2*d.*; Newfoundland, 701*l.* 0*s.* 6*d.*

Societies of a Mixed Nature—Christian Knowledge, 62,387*l.* 3*s.* 6*d.*; Propagating the Gospel, 32,016*l.* 14*s.* 6*d.*; Jews, 13,715*l.* 2*s.* 1*d.*; London Hibernian, 8,143*l.* 3*s.* 11*d.*; Ladies' Hibernian, 2,422*l.* 3*s.*; Continental, 2,133*l.* 15*s.* 10*d.*; Irish Evangelical, 2,772*l.* 6*s.* 1*d.*; African Institution, 283*l.* 13*s.* 1*d.*; Congregational Union of Scotland, 1,201*l.* 10*s.* 6*d.*

Book Societies—Prayer Book, &c. 1,781*l.* 12*s.*; Church Tract Society, 737*l.* 10*s.*; Religious Tract Society, 12,568*l.* 17*s.*

Societies in Ireland—Hibernian Bible Society, 6,721*l.* 10*s.* 4*d.*; Sunday School Society, 2,653*l.* 7*s.* 2*d.*; Tract and Book Society, 3,647*l.* 6*s.* 3*d.*; Irish Society, 1,063*l.* 3*s.* 8*d.*

ITALY.

The annual census (ending at Easter 1825) of the Roman population has been recently published. The entire population of the capital is, 138,750—families, 33,271—priests, 1,483—monks and friars, 1,662—nuns, 1,502—mar-

riages, 1,158—births, 4,243—deaths, 4,446—in the hospitals, 2,002—in the prisons, 1,020—“heretics,” turks, and infidels, (exclusive of the jews), 217—increase of population since the preceding year, 220.

The Jesuits of Rome have just celebrated, in a most pompous manner, the late beatification of a member of their order. There were three solemn masses, and as many vespers, accompanied by two large orchestras. The façade of their church was profusely illuminated on three successive evenings, and a large band of music placed in the area before the edifice, to amuse or edify the populace.

MARRIAGES in 1825.

Lieut.-Col. Ogilvi, to Janet Rebecca, daughter of J. A. Ogilvi, Esq. of Sanhurst.

At the Dowager Viscountess Duncan's, Lieut.-Gen. Sir J. H. Dalrymple, Bart. to the Hon. Adamina Duncan, daughter of the late Lord Viscount Duncan.

At Marylebone Church, Lieut.-Colonel George Higginson, to the Right Hon. Lady F. E. Needham.

At St. George's, Hanover-square, the Rev. W. Tower, to Maria, third daughter of Admiral Sir Eliab Harvey, G. C. B.

At St. George's, Hanover-square, A. Dashwood, Esq., to Hester, fourth daughter of the late Sir Jacob Henry Astley, of Melton Constable, Norfolk.

At St. George's, Hanover-square, — Duncan, eldest son of Henry Davison, Esq. of Cavendish-square, to the Hon. E. D. Bosville Macdonald, second daughter of the Right Hon. Lord Macdonald.

At All Souls' Church, St. Marylebone, Capt. Lewin, R. N. to Jane, widow of the late William Plumer, Esq. M. P.

At Thames Ditton, Capt. G. F. Lyon, R. N. to Lucy Louisa, youngest daughter of the late Lord Edward Fitzgerald.

At St. George's, Hanover-square, Ernest Count de Gersdorff, to the Hon. Miss Twiselton Fiennes.

At St. Marylebone Church, Col. Clitheroe, of the 3d Foot Guards, to Millicent, eldest daughter—and at the same time, E. J. Rudge, Esq. of Abbey Manor House, Worcestershire, to Felizarda, youngest daughter—of C. Pole, Esq.

At St. Mary's, Marylebone, George James Cholmondeley, Esq. to the Hon. Mary Elizabeth Townshend.

At St. George's Church, Hanover-square, Louis Edmond Méchin, eldest son of Baron Méchin, to Maria Theresa, eldest daughter of Charles Dumergue, Esq.

DEATHS in the year 1825.

At Richmond, Lady Harrington.—At Chislehurst, Right Hon. Lady Bayning.—Hon. Edward Bouverie.—George Dance, R. A.—Sir John Cox Hippisly.—The Right Hon. James Lord Glastonbury.—Earl Whitworth.—Sir J. Walsh, Bart.—The Right Hon. Sir J. Stewart, Bart.—Sir H. C. Ibbotson, Bart.—Sir W. W. Pepys, Bart.—Sir J. G. Egerton, Bart.—Lieut.-General Trent.—Lady Sophia Heathcot.—Dr. Andrewes, Dean of Canterbury.—Anna Maria, daughter of Viscount Folkeston.—Mr. Brandon, of Covent-Garden Theatre.—

Theatre.—Lieut.-Gen. Burne.—Sir F. Hennicker.—Lord Langford.—Henry Woodthorpe, Town Clerk of London.—Lady Elphinstone.—Mrs. F. A. Harrison, formerly Matron of the Charter-house.—The Earl of Donoughmore.—Lady Eyre.

Sir James Bland Lamb, Bart. D. C. L. when known by the name of Burges, distinguished himself in politics and literature. He was the only son of George Burges, Esq. a military officer, and afterwards comptroller general of the customs in North Britain, and was born at Gibraltar, June 8, 1752. He was about seven years under the tuition of the Rev. Dr. Somerville, author of "The History of the Reign of Queen Anne, &c." during which time he attended for the space of two years the University of Edinburgh. He was then placed at Westminster school, where he continued till Christmas 1769, when he was removed to University College, Oxford, and placed under the tuition of Dr. Scott, (now Lord Stowell). Having left the University in 1773, he made the tour of France, Italy, Switzerland, and part of Germany. On his return he attended the courts in Westminster hall; and in Easter Term, 1777, was called to the bar by the society of Lincoln's Inn. On the 19th of June that year, he married the Hon. Elizabeth Noel, second daughter of Edward Viscount Wentworth, who died in 1779, without issue. In 1778 he published "Heroic Epistles from Serjeant Bradshaw in the Shades, to John Dunning, Esq." In 1780, he married, secondly, Anne, third daughter of Lieut.-Colonel L. C. Montelieu, Baron of St. Hypolite, by whom

he had ten children. In 1783 appeared his "Considerations on the Law of Insolvency," 8vo.; and a "Letter to the Earl of Effingham on his lately proposed Act of Insolvency," 8vo. In very early life he formed a close intimacy with Mr. Pitt and the late Duke of Leeds, who, being anxious to attach him to their party, prevailed upon him to embark in political affairs. In 1797 he was returned M. P. for Helston in Cornwall, and in 1790 re-chosen. In August 1789 he was appointed one of the under secretaries of state for the Foreign department. In the course of that year, Mr. Burges published an "Address to the Country Gentlemen of England and Wales, on County Courts," 8vo.; and in 1790, "Letters on the Spanish Aggression at Nootka," 8vo. published under the signature of Verus. He also privately printed a "Narrative of the Negotiations between France and Spain in 1790." In 1794, Mr. Burges, Evan Nepean, and S. Cotterell, Esqrs. were appointed joint commissioners of the privy seal. Mr. Burges and another under secretary of state were the founders of "The Sun Newspaper," under the sanction of Mr. Pitt. Among the effusions of wit, humour, and satire with which he enlivened the columns of that newspaper in its early days, were a series of verses, entitled "The Casuist," in which he portrayed the chief members of the opposition at that period; and several tales, among which was "The Bishop's Wig." Of a graver cast were a series of Letters under the signature of Alfred, in which he took a comprehensive view of the several states, political objects,

and relative interests of all European governments. On resigning his office of under secretary of state, he was created, Oct. 31, 1795, a Baronet, of Burville, Berks; and was also appointed for life Knight Marshal of the King's Household. In 1796 he published a poem, entitled "The Birth and Triumph of Love," 4to. The plan was taken from a series of plates, "The Birth and Triumph of Cupid," published by Mr. P. W. Tompkins. During 1799 and 1800, Sir James was engaged in composing and printing an heroic poem in eighteen books, celebrating the character and achievements of Richard the First. Whilst it was passing through the press, he sent copies to many of his poetical friends, for their opinion on its merits. They were accompanied by the following note:—"Sir James Burges takes the liberty of requesting that, as this is merely a private impression of a very few copies, for the sole purpose of obtaining a candid criticism of the work, it may not be shewn to any one. In this confidence, he has the honour to send it to Mr. . . . The remainder is printing, and will be forwarded as soon as possible."—At the sale of his library, three of these copies, each containing the above note, were sold; one "with remarks and corrections by J. Anstey;" another with very discouraging "remarks; corrections, and general observations throughout, by Mr. Boscawen;" and the third with particularly flattering "remarks throughout, and an autograph letter, by Richard Cumberland." A fourth copy followed, "collated by Sir J. B. Burges, with Cumberland, Sotheby, Fitz-

gerald, Pye, Anstey, Boscawen, and Archd. Nares; manuscript letter of Mr. Boscawen's inserted." The poem was finally published in 2 vols. 8vo. 1801. A few years after he produced, in conjunction with Mr. Cumberland, "The Exodiad." His play of "Riches, or the Wife and Brother," founded on Massinger's "City Madam," and acted at the Lyceum Theatre by the Drury Lane Company, was published in 8vo. 1810; and to him has been ascribed the Comic Opera of "Tricks upon Travelers," never printed. The Romance of "The Dragon Knight" was undoubtedly his. Sir James the third time entered the matrimonial state, by marrying, Sept. 8, 1812, Lady Margaret, daughter of James, fifth Earl of Balcarras, and relict of Alexander Fordyce, Esq. By her, who also died before him, December 1, 1814, he had no issue.

M. Le Vaillant.—M. Le Vaillant was born at Samarraibo, in Dutch Guiana. His taste for natural history manifested itself from early infancy. His voyages to the Cape of Good Hope, and his travels in the interior of Africa and America, added greatly to the stock of knowledge in natural history, and proved his indefatigable zeal in the interests of science: to him naturalists owe the discovery of many species heretofore unknown, or imperfectly described. The garden of plants, and the cabinet of natural history, at Paris, were enriched with his collections, including the giraffa, or camelopardelis, eighteen feet high, a great variety of parrots, and birds of paradise. He left in literature his "Two Voyages to the Cape of Good Hope," and "The Na-

tural History of African and American Birds, Birds of Paradise, and Parrots." He died at Sazanne at an advanced age.

Wewitzer, the actor.—He died at obscure lodgings in Wild-passage, Drury-lane, under circumstances of pecuniary distress. He died indebted to his landlady 14*l.*, the payment of which she never urged during his illness; but after death, hearing that he had relations, she determined on having her money, or at least the value of it. A handsome coffin was provided, in which the remains of the unfortunate actor were deposited, and every arrangement made for the funeral, when the landlady made her demand, and a man was placed in possession. Information was forwarded to one of his relations, and ultimately the body was taken from the coffin and conveyed in a shell to interment. He was a native of London, where he was brought up as a jeweller, which business he exchanged, at an early period, for the honours of an actor's life. Having got some experience in his new professional course, he at length made his *debut* at Covent Garden Theatre, as Ralph, in the opera of "The Maid of the Mill," which character he sustained for the benefit of his sister, who, about the year 1785, was held in some estimation both as an actress and singer. *Wewitzer's* exertions were crowned with success, and indicated so much promise of utility in his profession, that he was engaged by the house, where he soon distinguished himself in the representation of Jews and Frenchmen. He next repaired to Dublin for a short time, under the management of *Ryder*, and on his

return he resumed his situation at Covent Garden; here he remained till, unfortunately, he was induced to undertake the management of the Royalty Theatre; but, on the failure of that concern, he became a member of the Drury-lane company, with which he continued to perform till the close of his theatrical career. He died at the advanced age of 76, and was in his latter years an annuitant on the Covent Garden Theatrical Fund.

Sir Robert Dallas, Knt. Chief Justice of the Common Pleas.—He was the eldest son of Robert Dallas, Esq. of Kensington, by Elizabeth, daughter of the Rev. James Smith, minister of Kilberney, in Ayrshire. Being intended from his infancy for the bar, he received a good education, and he determined to accustom himself to public speaking. It is well known that Mr. Burke commenced his career as an orator, and distinguished himself in Bow-lane, before he attempted to shine in St. Stephen's Chapel. Mr. Garrow also prepared himself for Westminster-hall, by his previous attendance at the Westminster forum; while the subject of this memoir initiated himself at coach-maker's-hall, and was allowed by his auditors to be a very correct and eloquent speaker. On being called to the bar, he obtained considerable practice at *nisi prius*, and went the circuit; but was brought into public notice by being one of the counsel employed by Mr. Hastings on his impeachment. He also distinguished himself on several other occasions, more especially before committees on contested elections, which led to a silk gown, as king's counsel.

In the second imperial parliament, which met in 1802, he was returned for St. Michael's, Cornwall; but succeeding Sir V. Gibbs as Chief Justice of Chester, Montgomery, Flint, and Denbighshire, a new writ was ordered, Feb. 1, 1805, and he was succeeded by the eldest son of the Duke of Buccleuch. In the same parliament he was returned for the district burghs of Kirkcaldy, Kinghorn, Burntisland, and Dysart, vacant through Sir J. St. Clair Erskine becoming Earl of Rosslyn. In 1808 was published his "Speech in the Court of King's Bench, on a motion for a new trial in the case of King v. Picton," 8vo. In 1813 he was appointed one of the Puisne Judges of the Court of Common Pleas, and Nov. 5, 1818, was sworn Chief Justice, in the room of Sir Vicary Gibbs, who had resigned. On the 19th of November following he was sworn a privy counsellor. In November, 1823, he signified his retirement from the chief justiceship, on account of the fatigues of official exertion, which had much impaired his health. Sir Robert Dallas spoke less frequently in the House of Commons, while member, than might have been expected from his professional oratory; he, however, made a long and able speech, May 24, 1808, in favour of the minister's conduct respecting France.

Rev. Dr. Parr.—He was born at Harrow. His father was a surgeon in that place, and his paternal grandfather was rector of Hinckley, in Leicestershire. He was at the head of Harrow school in his fourteenth year; and on the death of the Rev. Dr. Sumner, who strongly recommended him

as his successor, he was only not appointed to the head-mastership on account of his youth. At Harrow his friendship commenced with Sir William Jones and the Right Rev. Dr. Bennet, late Bishop of Cloyne. Almost all the boys in the upper part of Harrow school accompanied him when he removed, to establish himself at Stanmore, soon afterwards. He was successively master of the grammar-schools of Colchester and Norwich; and in 1780 received his first ecclesiastical preferment, the rectory of Asterby, in the diocese of Lincoln. In the year 1785, the exchange of Asterby for the perpetual curacy of Hatton, brought him into Warwickshire, where he continued to reside till his death. Dr. Parr was married, first to Jane, of the ancient house of Mauleverer, in Yorkshire; and afterwards to Mary, sister of the late Rev. James Eyre, of Solihull. By his first wife he had several children, all of whom died in their infancy, except Sarah and Catherine. Of these daughters, both of whom he survived, the former was married to John Wynne, Esq. of Garthmeilo, in Denbighshire, and left two daughters, now living, Caroline and Augusta, the eldest of whom is the wife of the Rev. John Lynes, rector of Elmley Lovet. In addition to the small benefice before mentioned, Dr. Parr held the living of Graffham, in Huntingdonshire, to which he was presented by Sir Francis Burdett. Through the kindness and interest of the present Earl of Dartmouth's grandfather, he also obtained from Bishop Lowth a prebend of St. Paul's Cathedral, which, though for many years of little value to

him, was happily the means of securing him, to an ample degree, *optimum cum dignitate*, in the decline of his life. His classical knowledge, which, however, formed but a part of his many and great attainments, placed him far above all his contemporaries in that department of learning; and his death has occasioned a chasm in literature which it will be easier to lament than supply. In the course of his long protracted illness, appearances were, more than once, so favourable as to excite in the minds of his family and his physicians, the strongest hope of his recovery; and to diffuse, through a large circle of those who loved and honoured him, a joy proportioned to the distress which alarming reports had previously produced. But about twelve or fourteen days before his death, all these flattering hopes took their flight. From that time he gradually declined, the vital powers slowly, almost imperceptibly wasting, till exhausted nature sunk, and he gently expired, having completed his 78th year on the 26th of February.

Mrs. Franklin, wife of Captain John Franklin, R.N. one of those gallant officers who have been employed in the northern expeditions, so honourable to the enterprising spirit of this country. *Mrs. Franklin* had not less distinguished herself in the province of literature, by works of poetical and scientific merit. She was one of the daughters of the late Mr. Porden, the architect. Her poem entitled "The Veils," has been much admired.

At Islington, Jan. 26, *Alexander Tilloch*, LL.D. M.R.I.A. M.R.A.S. Munich, M.G.S.

M.A.S. S.S.A. Edinburgh and Perth, M.S.E.I.N. of France, &c. &c. He was a native of Glasgow, and born 28th Feb. 1759. His father, Mr. John Tilloch, filled the office of magistrate for many years. Alexander, being designed for business, received in the place of his nativity, an education which in Scotland is so much more accessible than in England. Ardent in the pursuit of knowledge, and sanguine in his expectations, the occult sciences, in early life, at one time attracted much of his attention; and when animal magnetism was introduced into this country, its novelty and charms were not without their influence on his youthful mind. The magic, however, of this delusive science soon ceased to operate; yet judicial astrology he was never disposed to treat with sovereign contempt. Among the various branches of science and the mechanic arts, literature was that which chiefly struck his attention; and though totally uninstructed, he soon conceived that the mode of printing, then in constant practice, was susceptible of considerable improvement. He accordingly hit upon the expedient, when the page was set up in type, of taking off an impression in some soft substance, in its comparatively fluid state, that would harden when exposed to the action of fire, and thus become a mould to receive the metal when in a state of fusion, and form a plate every way correspondent to the page when the first impression was received. This with him laid the foundation of the stereotype printing. He began his experiments in 1781, and in 1782 having brought his plates to a state of comparative perfection

perfection, flattered himself with many advantages which would result from his successful efforts. As he was not bred a printer himself, he had recourse to Mr. Foulis, printer to the University of Glasgow, to whom he applied for types to make an experiment in the new process: the experiment succeeded, and Mr. Foulis, who was a very ingenious man, became so convinced of its practicability and excellence, that he entered into partnership with him in order to carry it on. They took out patents in both England and Scotland, and printed several small volumes from stereotype plates, the impressions of which were sold to the booksellers, without any intimation of their being printed out of the common way. A few years afterwards Dr. Tilloch discovered that although he had invented stereotype printing, yet he was but a second inventor, and that the art had been exercised by a Mr. Ged of Edinburgh, jeweller, nearly fifty years before. It appears, from some circumstances which transpired at the Society of Arts at the Adelphi, some years afterwards, that Earl Stanhope was indebted to Dr. Tilloch for much of his knowledge in the process of making stereotype plates. He now entered into the tobacco business, in conjunction with his brother and brother-in-law; but not finding it answer their expectation, it was finally abandoned. From this he turned his attention to printing, and, either singly or in partnership, carried on this trade for some time in his native city. Prior to this period of his life, he married. In the year 1783 his wife was taken from him by death; from which time his days were spent in

1825.

widowhood. The fruit of this union was one daughter, who still survives, and is the wife of Mr. Galt, a gentleman who has attained distinction among the writers of the day, as the author of several acknowledged works, and from whose pen have emanated the well-known novels, "The Spaw Wife," "Ringan Gilhaise," and other ingenious compositions of the same class. In the year 1787 Dr. T. came to the British metropolis, where he spent the remainder of his days. In 1789, in connexion with others, he purchased the "Star," a daily evening paper, of which he immediately became the editor, and continued so until within four years of his death, when bodily infirmities, and various engagements, compelled him to relinquish its management altogether. Being forcibly struck, soon after his arrival in London, with the vast number of executions that took place for forgery, Dr. Tilloch, after some time, began to devise means for the prevention of the crime; and in 1790 he made a proposal to the British ministry to that effect. His scheme, however, meeting with an unfavourable reception at home, he offered his invention to the Commission d'Assignats at Paris, where its merits were very differently appreciated; but the political contentions of the time caused considerable delay in the negotiation. However, in 1792, L'Amour, from the French authorities, waited on him, and they consulted together on the subject. On his return to Paris, some French artists were employed to make copies of Dr. Tilloch's plan; but in this they were finally unsuccessful, though their endeavours caused an additional delay.

The commencement of the war in the beginning of 1793, caused a still greater interruption; but so anxious were the French Commissioners d'Assignats to avail themselves of Dr. Tilloch's invention, that L'Amour was directed to release some English smugglers, and to give them their vessel, on condition that, on returning to England, they would communicate to Dr. Tilloch a proposal for him to come to the continent, and impart his secret, offering him a handsome remuneration. By this time, however, the treasonable correspondence bill having passed into a law, he prudently declined all further intercourse with the French authorities on the subject. Seeing with regret that there was but one periodical in London* in which the man of science could embody his own discoveries, or become acquainted with those of others, he established the *Philosophical Magazine*. The first number appeared in June, 1797, from which time to the present it continued without interruption, and with a degree of respectability highly creditable to the heads and hands that have conducted it. During the early periods of its existence, Dr. Tilloch was the sole proprietor, and such he continued until about four years since, when the name of Richard Taylor, F.L.S. was added to his own as joint proprietor. The steam-engine was another subject to which Dr. Tilloch devoted his comprehensive mind; and we have the best reasons for stating that the improvements made on this useful and mighty

machine, which goes under the name of Woolf's engine, were suggested and matured principally by Dr. Tilloch; nor did even age or sickness prevent his labouring in order to render the steam-engine still more complete; for, among the list of new patents; we find one dated the 11th of January 1825, only fifteen days before his death, "To Alexander Tilloch, of Islington, Doctor of Laws, for his invention or discovery of an improvement in the steam-engine, or in the apparatus connected therewith, and also applicable to other useful purposes."

Henry Fuseli, Esq. R. A.—The death of this distinguished artist and most accomplished scholar, took place on the 16th of April, at the house of the Countess of Guildford, Putney Hill. He had attained the great age of 87, in perfect possession of his faculties, his mind remaining as vigorous and firm as at any former period of his life. Mr. Fuseli was a native of Zurich, and came to England at an early age, more with the intention of making literature his study than art: while he was yet undetermined, and speculating, as he said, on the great resolve of life, he took some of his drawings to Sir Joshua Reynolds, and asked his candid opinion, whether he thought he had any chance of success as an artist. The president was so much struck with the conception and power displayed in them, that, after viewing them attentively, he said, "Young man, were I the author of these drawings, and offered ten thousand a year not to practise as an artist, I would reject it with contempt:" this decided him. But it was not until the opening of his Milton Gallery, about the year 1798, that

* Nicholson's *Philosophical Journal*, which subsequently merged into Dr. Tilloch's *Magazine*.

the extent of his intellectual acquirements, his lofty imagination, and singular fancy, were fully appreciated. None who witnessed it can ever forget the effect produced on them by that exhibition. The pictures he painted for the Shakspeare Gallery must also be remembered with feelings of high admiration. His *Ghost of Hamlet*, unquestionably the grandest work in the collection, can never be forgotten. Mr. Fuseli enjoyed the friendship of the most distinguished literati of the age. The high opinion entertained of him, even in youth, by his celebrated townsman, Lavater, was shown by his putting into his hand, at parting, a small piece of paper, beautifully framed and glazed, on which he found written in German, "Do but the tenth part of what you can do." Hang that up in your bedroom, my friend, said Lavater, and I know what will be the result. The result did not disappoint him—their friendship only ended with life; and on the part of the artist, was continued to Lavater's son with unabated fervour. Mr. Fuseli enjoyed excellent health, probably the result of his habitual temperance. His remains were interred in the cathedral of St. Paul's.

Sir J. C. Hippisley, Bart. D. C. L., F. R. and A. S. died at the advanced age of 79. He early entered as a student, and became a bencher of the Inner Temple. In the years 1779 and 1780, being in Italy, he was engaged in many important communications with government. On his return in the following year, he was recommended by Lord North, then at the head of the treasury, to the Court of Directors of the East-

India Company, by whom he was appointed to that service, with the advanced rank of four years. He resigned this employment in 1789, having held offices of great trust and importance in the kingdom of Tanjore, during the war with Hyder Ally, and his son Tippoo Sultaun. In 1790 he was appointed Recorder of Sudbury, and in the same year was elected one of the representatives for that borough, for which he sat in five parliaments. From 1792 to 1795 he was employed in some important negotiations in Italy, in consequence of which his Majesty conferred on him the title of a Baronet. In 1795, he negotiated the marriage between the Princess Royal of Great Britain and the late King of Wurtemberg, who granted to him and his posterity the right of bearing the arms of the house of Wurtemberg: he was also appointed a commissioner and trustee of her royal highness's marriage-settlement. Sir John served the office of High Sheriff for Berkshire in 1800; and in the same year was named one of the first managers of the Royal Institution, and a member of the government of the Turkey company. He was for many years an active magistrate of the county of Somerset, in which capacity none exceeded him in the zealous discharge of his duties.—As a vice-president and efficient member of the West of England Agricultural Society, he will long be remembered with esteem.—He was also a trustee, and one of the principal promoters of the Literary Institution in Bath, in the prosperity of which he felt a lively interest, as well as in that which is established in Bristol.—He was

the author of several political publications.

Admiral John-child Purvis.—

He was descended from a very respectable Norfolk family; his grandfather, George, was post-captain, and at the time of his death a commissioner of the navy-board. Of the period of his birth, or of his entering the service, we are not in possession; but at the commencement of the war with France in 1778, we find him serving on the American station as a lieutenant of the *Invincible*, bearing the broad pendant of commodore Evans, in which ship he returned to England; and on his arrival was appointed to the *Britannia*, a first-rate, carrying the flag of Vice-admiral Darby, with whom he remained until his promotion to the rank of commander. On Aug. 19, 1782, Capt. Purvis being on a cruise off Cape Henry, in the *Duc de Chartres*, of 16 guns and 125 men, fell in with, and after a smart action, captured the French corvette *l'Aigle*, of 22 guns and 136 men, of whom thirteen, including their commander, were slain, and twelve wounded. The British sloop had not a man hurt. For his gallant conduct on this occasion, Captain Purvis was posted Sept. 1, following; but peace taking place soon after, we find no further mention of him until the commencement of hostilities against the French republic in Feb. 1793, when he was appointed to the *Amphitrite* frigate, and subsequently to the *Princess Royal*, a second-rate, in which latter ship he was ordered to Gibraltar to receive the flag of Rear-admiral Goodall, and from thence proceeded with the fleet under Lord Hood to the southern coast of France. On the 29th

of August, the fleet entered the port of Toulon, and Rear-admiral Goodall having been appointed governor of that town, Captain Purvis received directions to take the *Princess Royal* as high up the north-west arm of the harbour, and as near the enemy's batteries as possible. This being done, and the ship properly placed, not a day passed in the course of the six weeks she was so stationed, without an engagement with the republicans; and notwithstanding their works (being constructed with casks, sand-bags, fascines, &c.) were soon disabled, they invariably repaired the damages during the night, and again presented complete batteries on the ensuing morning. The *Princess Royal* was consequently much cut up, and had many men killed and wounded. The loss sustained by the enemy was also very considerable. We next find Captain Purvis assisting at the reduction of St. Fiorenzo and Bastia. He likewise participated in the partial actions of March 14, and July 13, 1795. In the former the *Princess Royal* had three men killed, and eight wounded. The *Ca Ira*, of 80 guns, one of the French ships captured on this occasion, surrendered to her, after being warmly engaged with several others of the British line. He was subsequently employed in the blockade of a French squadron, consisting of seven ships of the line and five frigates, in Gourjan Bay. The *Princess Royal* having returned to England, she was paid off in Nov. 1796, and Captain Purvis soon after obtained the command of the *London*, another second-rate, attached to the channel fleet. In this ship he remained near four years,

years, under the orders of Admirals Lords Bridport, St. Vincent, and Gardner, Sir Henry Harvey, and Lord Keith. Early in 1801, the London, in consequence of her easy draught of water, was selected to form part of the expedition destined for the Baltic; and Captain Purvis was appointed to the Royal George, of 100 guns, into which ship he removed off Ushant, and continued to command her until she was put out of commission, in April, 1802. The rupture with France, in 1803, again called him into service; and from that period, until his promotion to the rank of rear-admiral, April 23, 1804, he commanded the Dreadnought, of 98 guns, and served under the orders of the Hon. Admiral Cornwallis, in the Channel. On June 1, 1806, he hoisted his flag on board the Chiffoné, and proceeded off Cadiz, the blockade of which port lasted two years and seven months after his arrival on that station, one year of which it was conducted by himself during the absence of Lord Collingwood in the Mediterranean; and what is here worthy of remark, the rear-admiral continued at sea at one time, without even being driven through the Gut, or letting go an anchor, for the space of nineteen months, during which period not a square-rigged vessel entered or quitted the harbour, except on one occasion, when several were allowed to proceed, having regular passes from England. In the spring of 1808, at which period Cadiz was threatened to be invested by Buonaparte, Rear-admiral Purvis and Major-general Spencer, with whom he co-operated, rendered essential service to the common cause, by

establishing peace and friendship with the supreme council of Seville. Towards the close of the same year, Rear-admiral Purvis, on the receipt of intelligence that the French had possessed themselves of Madrid, proceeded from Gibraltar to Cadiz in the Atlas, of 74 guns, in order to secure the Spanish fleet from falling into the hands of the enemy. On his arrival, he found only one ship of the line and a frigate in commission, and all the others in sad disorder in every respect. His first object was to obtain permission to fit the Spanish ships, and prepare them for sea; for which purpose he applied to the governor of Cadiz, the commandant-general of the marine, and the Prince de Montforte, governor-general of the province. On the 25th of October, 1809, he was advanced to the rank of vice-admiral, and on the 23d January, 1810, having learned that the French had forced the passes, and were marching in great force towards Cadiz, he obtained the governor's consent to his blowing up the forts and batteries along the east side of the harbour; a measure which he had before proposed without effect. On March 7th following, during the prevalence of a heavy gale of wind, a Spanish three-decker and two third-rates, together with a Portuguese 74, were driven on shore on the east side of the harbour, and there destroyed by the hot shot from the enemy's batteries.—Admiral Purvis was twice married; first, about March 1790, at Widley, near Portsmouth, to a daughter of Dan. Garrett, Esq. of that town, by whom he had a son, who was promoted to the rank of post-captain in 1809; she died

died at his father's, July 1, 1798. He was united secondly, at Tichfield, August 2, 1804, to Elizabeth, daughter of the late Admiral Sir Arch. Dickson, first baronet of Hardingham, Norfolk, (an only child by his first wife Elizabeth) and relict of her cousin, Captain William Dickson, of the 22d foot, who died at St. Domingo in 1795.

Earl Whitworth died at Knowle, Kent, after three days' illness, aged 71. The deceased Earl was son of Sir Charles Whitworth, Knt. M.P. for Minehead, by the eldest daughter of Richard Shelley, Esq. He was born at Leybourne Grange, but in 1776 removed with his father to Stanmore, Sir Charles having, with his eldest son's consent, obtained an act of parliament which enabled him to sell Leybourne. Earl Whitworth was educated at Tunbridge school, under Mr. Cawthorne the poet, and Mr. Towers, the translator of Cæsar. Soon after leaving this academy, Mr. Whitworth became an officer in the guards. His first diplomatic mission was to the court of Poland, whither he was sent as minister plenipotentiary in 1786. Warsaw was then the centre of intrigues; for a new partition of Poland happened to be meditating at that moment, and the generous attempt at national independence proved but the signal for the final overthrow of that ancient state. After residing two years in Poland, Mr. Whitworth was recalled, and in September, 1788, nominated envoy extraordinary and minister plenipotentiary to the court of Russia. In 1793, when the English ministers determined to support the cause of the Bourbons against France, it was thought proper to invest the ambassador

at St. Petersburg with the order of the bath, to add dignity to his mission; and Sir Charles Whitworth from this moment began to act a conspicuous part on this great theatre of European politics. A more intimate connexion than had hitherto subsisted became an object of mutual desire; a subsidiary treaty began to be hinted, and the death of the Empress alone prevented its completion. The zeal of her son and successor, Paul, required but little stimulus to induce him to make a common cause with the chief potentates of Europe. He entered into the contest with a degree of enthusiasm worthy of the days of chivalry; while his general, Suwarrow, at the head of a chosen body of troops, conferred new lustre on the Russian arms. But the sudden reverse that occurred in Switzerland, added to some misunderstanding relative to Holland, and a coolness that took place between the two Imperial courts, were calculated to effect an alteration in the aspect of public affairs. On the return of the ambassador he was created, March 21, 1800, an Irish peer, by the title of Baron Whitworth of Newport Pratt, county of Galway; and soon after the critical situation of this country in respect to the northern states, all of whom complained of the conduct of England, required the intervention of an able diplomatist; and Lord Whitworth was commissioned to this office. Having made the necessary dispositions, he repaired to Copenhagen, in the character of plenipotentiary extraordinary. While his lordship commenced a treaty with the Count de Bernstorff, a nobleman of great talents and influence, his mission was

was backed, and his arguments supported, by a strong squadron, consisting of nine sail of the line, four bomb-ketches, and five gun-boats, which entered the Sound under the command of Admiral Dickson. However, after a considerable time had elapsed in discussion, in consequence of the exertions of our plenipotentiary, an adjustment at last took place, August 29, 1800. Lord Whitworth, on his return to England, married, April 7, 1801, with Arabella Diana, widow of John Frederick, third Duke of Dorset, and eldest daughter and co-heir of Sir Charles Cope, second baronet, of Brewern, county of Oxford. The treaty of Amiens, concluded March 27, 1802, was considered by some politicians rather as a cessation of hostilities than a definitive pacification; and the event proved that too many objects of importance were left open for future discussion. Lord Cornwallis, notwithstanding this, returned from the congress welcomed by the well-merited applause of his countrymen. He was succeeded first by Mr. Jackson, then by Mr. Merry, and finally by Lord Whitworth, who, having been made a privy counsellor, was sent to Paris towards the latter end of 1802, as ambassador extraordinary and plenipotentiary. On his lordship's arrival at Paris, he found himself, like his predecessors, surrounded by difficulties. The war had indeed ceased, but the hostility of the mind was not yet ended. A rivalry in commerce had succeeded to a rivalry in arms, and the custom-houses of the respective nations were in a state of direct hostility. A variety of circum-

stances tended to render this negotiation delicate in the extreme; such as the renunciation of Parma; the mission of Sebastiani; the occupation of Holland by a considerable army; the violation of the rights of the Swiss Cantons; and, above all, the aggrandizement of France by means of fresh acquisitions. After a number of previous conferences with Talleyrand, the minister for foreign affairs, Bonaparte at length sent for the English ambassador, in the beginning of 1803, and a long and important interview took place. The English ministry, however, persisted in the resolution of not evacuating Malta, although a categorical answer was in the mean time demanded by General Andréossy, the French ambassador at London. On this, a rupture appearing to be inevitable, his Majesty, in March 1803, sent a message to both houses of parliament, stating the preparations making in the ports of France and Holland; and recommending the adoption of such measures as might be consistent with the honour of his crown and the security of his dominions. A subsequent interview between Lord Whitworth and Bonaparte, instead of healing, appears to have widened the breach. Lord Whitworth, on his first interview with Mons. Talleyrand, remonstrated against the insult offered to him, as alike offensive "to his public and private feelings." He added, that he had repaired to the levee "to pay his respects to the First Consul, and present his countrymen, but not to treat of political subjects; and that, unless he had an assurance from him that he should not be exposed to a repetition of the same disagreeable occurrences,

occurrences, he should be under the necessity of discontinuing his visits to the Tuileries." Similar remonstrances were also made in the king's name, by order of the secretary of state for foreign affairs; but Malta again became the bone of contention, and *projets* innumerable were formed, presented, and bated, relative to the possession of that important island. At length the English minister, in consequence of positive orders from his court, delivered in his *ultimatum*, and declared that if no convention on this basis was signed within a week, he had received instructions to terminate his mission, and return to London. His lordship left Paris May 13, 1803. After an interview with the cabinet ministers in London, Lord Whitworth repaired to Knowle, where for some years his lordship chiefly resided. On March 2, 1813, Lord Whitworth was made a Lord of the King's bed-chamber; on the 14th of June following he was created a peer of Great Britain, by the title of Viscount Whitworth of Adbaston, county of Stafford, and in August succeeded the Duke of Richmond as Viceroy of Ireland. He resigned the lieutenancy of Ireland in September, 1817, when Lord Talbot was appointed to succeed him. Never having had issue, all his titles have died with him.

Admiral Lord Radstock died in Portland-place, Aug. 20, of apoplexy, aged 72. He was born July 9, 1758. The profession of the navy was his own choice, and he was happily placed under the tuition of such officers as were calculated to improve his early genius for nautical science. Having gone through the inferior gra-

dations of service in the Mediterranean and Western Seas, he was promoted to the command of the *Zephyr* sloop about 1775, and on the 30th May, 1776, advanced to the rank of post-captain. On Aug. 10, 1778, being on a cruise off the coast of Coromandel, he fell in with a French squadron under M. Tranjolly. An action ensued, and was maintained with great obstinacy for two hours, when the enemy, availing himself of the crippled condition of the British ships, made sail and steered for Pondicherry. On the 21st, Sir Edward again got sight of them, but their superiority in sailing prevented his being able to bring them to action. The climate of the East Indies not agreeing with his health, he returned to England, and on his arrival was appointed to the *Pomona*, of 28 guns. In this ship he captured the *Cumberland*, American privateer, of 20 guns, and 170 men. On the 4th of July, 1780, Captain Waldegrave having been sent to cruise off Cape Ortage, in company with the *Licorne*, of 32 guns, fell in with, and, after an obstinately contested action of four hours, captured *La Capricieuse*, a new French frigate, pierced for 44 guns, but mounting only 32, with a complement of 308 men, above 100 of whom, including her commander, were either killed or wounded. His ship bore the brunt of the action, and was a greater sufferer than her companion. In the spring of 1781, Captain Waldegrave accompanied Admiral Darby to the relief of Gibraltar, and towards the close of that year, he assisted at the capture of a number of French transports,

transports, that were proceeding with troops and stores to the West Indies, under the protection of M. de Guicher. In the armament of 1790, in consequence of the differences with Spain respecting Nootka Sound, he was appointed to the *Majestic*, of 74 guns; and in 1798 to the *Courageux* of the same force, which accompanied Lord Hood to Toulon, at the surrender of the place. On the 4th of July, 1794, he was advanced to the rank of rear-admiral, a short time previous to which he had been nominated a colonel of marines. His promotion to a flag obliged Rear-admiral Waldegrave to return to England by land. He subsequently held a command in the Channel fleet. On the 1st of June, 1795, he was made a vice-admiral, and in the fall of the same year, he again sailed for the Mediterranean. During the succeeding spring, he was sent with five ships of the line to negotiate with the Tunisians. On the 14th of February, 1797, Sir John Jervis, with fifteen sail of the line, encountered and defeated a Spanish fleet consisting of twenty-seven ships. Upon this occasion, Vice-admiral Waldegrave received a letter from the Earl of St. Vincent, then Sir John Jervis, in acknowledgment of the very essential services he had rendered. He also received a note from the heroic Nelson, accompanied by the sword of the second Captain of the *St. Nicholas*, as a proof of his esteem for the noble manner in which he conducted himself. Soon after the above glorious event, he was nominated Governor of Newfoundland, and commander-in-chief of the squadron employed on that station. When Sir John

Jervis was raised to the peerage, and the other flag-officers under his command were created baronets, for their conduct in the battle off Cape St. Vincent, the latter rank was offered to Vice-admiral Waldegrave; this, however, he declined. He received the freedom of the city of London for his services, and on the 29th of December, 1800, previous to the Union, was created a peer of Ireland, by the title of Baron Radstock. His lordship was promoted to the rank of Admiral, April 29, 1802, from which time he was not employed.

Lieutenant-Col. Downman died, aged 85. This officer entered the royal artillery in June, 1757; in 1758 he was with the army, at that time commanded by the Duke of Marlborough, at the destruction of the French shipping and stores at St. Maloes; he was at the demolition of the works and batteries of Cherbourg, and afterwards at the unlucky affair at St. Cas, commanding the only two six-pounders that were on shore. He sailed for the West Indies the same year with the army under the old General Hopson; was with the troop that made a landing on Martinique, and was very actively employed in the reduction of Guadaloupe, where he remained till the peace of 1763, except attending the troops that captured Dominique; he came to England at the end of the year 1763. He went to New York in June, 1764, remained there till November of the same year, when he was ordered with a small detachment of artillery to Pensacola, in the gulf of Mexico, to take possession of that miserable place: he had the misfortune to remain in this province till the

end of the year 1767, at which time he was ordered to St. Augustine, in the gulf of Florida, where he remained till January, 1772. He then sailed to New York; remained there till August, and arrived in England in November of the same year. After some service in Scotland he was ordered to New York; he joined the army under General How; was constantly at the head of Elk till the entrance of the army into Philadelphia, and principally engaged in taking the Delaware frigate, and the destruction and taking of Mud Island in the Delaware. He was the only English officer with the troops under Count Donop at the unfortunate attack on the works at Red Bank, on the Jersey shore; about this time he was taken extremely ill, and was obliged to go to New York in the hospital ship. He remained at New York till November 1778, when he was ordered to sail with the army under General Grant for the West Indies. He was much employed in the reduction of St. Lucie, where he remained till it was restored to France, except visiting the other islands. He sailed from Grenada and arrived in England the end of the year 1784. Lieutenant-Col. Downman, which rank he received 1st of March, 1794, was also captain in the invalid battalion of the royal artillery.

Rev. D. Bogue died, aged 76. He had been about fifty years pastor of the church of Protestant dissenters at Gosport, was tutor of the Missionary Seminary, and one of the first promoters of the London Missionary Society. The remains of Dr. Bogue were removed from Brighton to Gosport, attended by a deputation of the

London Missionary Society, and many other friends. Marks of respect for his memory were manifested by the inhabitants of Brighton, and of the several towns through which the procession passed. At Farsham, the deacons and trustees of the chapel in which the deceased officiated, joined the procession, in mourning coaches, and several private carriages followed in their train; about a mile from Gosport, the body was received by the church and congregation over which the deceased had presided, as well as by the students of the seminary under his care; by whom it was conducted to the vestry-room adjoining the Independent chapel, in Gosport, where it was deposited for the night. The remains of Dr. Bogue were conveyed into the chapel, of which he had been minister nearly half a century, when a funeral oration was delivered by the Rev. John Griffin, of Portsea, to a crowded auditory. And then the funeral procession moved towards Alverstoke; and on reaching the new burial-ground, the funeral service was read by the Rev. Henry Aubrey Veck, and the procession returned in the same order that it came. In the evening a funeral sermon was preached by the Rev. Dr. Winter, when the chapel was crowded to excess, and multitudes were prevented from gaining admission. During the day the shops and houses of the inhabitants were closed, and all seemed desirous of expressing their esteem and veneration for the memory of the deceased. His loss will be as deeply and as extensively felt amongst dissenters as that perhaps of any man of his day. He was one of those

those men who contribute greatly to influence the character of the public mind.

The Duchess of Rutland.—She was daughter of the late Earl of Carlisle, born on the 12th of November, 1780. Three days before her death, she was gay and cheerful in the midst of her family, and busily engaged in her usual occupations. She has left seven children—three boys and four girls. In this distinguished lady, were united the attractive softness of grace and beauty, with a vigour of understanding and a clearness of intellect seldom equalled. Her taste was refined; she excelled in every elegant female accomplishment, and by her own spontaneous efforts (in the midst of gaiety and pleasure) had stored her mind with much solid knowledge. Her mind was early imbued with a deep sense of religion, which enabled her to bear the heavy afflictions by which her early wedded life was chequered, with a resignation and patient fortitude rarely to be found in a youthful female mind, and derived only from an unbounded confidence in the wisdom and mercy of an all-seeing Providence. She was the idol of that domestic circle which was the joy and pride of her heart. Unostentatious, but persevering, in her efforts to improve the country around her, she gradually and imperceptibly accomplished her well-formed plans, by a judicious application of the ample means which the indulgence of an affectionate husband placed at her disposal. By her good management his estates were improved, and the surrounding villages embellished; and while her general

views were enlarged and magnificent, she did not disdain to interest herself in the most minute details that could improve the habits or increase the comforts of the poorest cottager. She was a successful practical farmer upon a large scale; and her exertions were rewarded by several prizes and medals from the societies for the encouragement of planting and agriculture. She was particularly accurate in the economy of her farm, to make it not only an object of amusement to herself, but of beneficial example to others. To those who remember that part of the country twenty years ago, it may be said of this distinguished lady, "*Si monumentum queris—circumspice.*" While occupied in pursuits like these, and in personally superintending the education of her children, her active and capacious mind embraced a much wider range.—Belvoir Castle will long remain a splendid monument of her taste, and there exist many of her designs and plans in progress, and in speculation, which would do credit to a professional artist. Above eight years ago, she had completed in detail very beautiful designs for an entrance at Hyde Park-corner, and for the embellishment of the parks. Her taste suggested the design for the proposed quay on the north bank of the river Thames, and she entered with ardour and enthusiasm into various plans for the improvement of London and Westminster; but above all, she had devoted much time, and taken great pains, in the formation of a plan for a royal palace, suited to a sovereign of the British empire, and which it was proposed to place in a situation

tion uniting all the advantages of health, convenience, and magnificence.

General Foy died at his residence, in the Rue Chaussée d'Antin, Paris, aged 50, on the 28th of November, of an aneurism of the heart. This officer was educated for the bar, but, on the breaking out of the revolution, he entered the artillery, in which he was rapidly promoted. From the first campaigns of the revolution to the battle of Waterloo, he was in incessant action, and frequently distinguished himself. He was wounded in Moreau's retreat, at the battle of Orthes, and at Waterloo. His activity in Spain was well known to many officers of the English army. Though his fate was bound up with the military profession, he refused, previously to the expedition to Egypt, the appointment of aide-de-camp to Bonaparte, whose views he seems to have suspected; and he also opposed Napoleon's elevation to the supreme power. It is related of the general that, after one of Bonaparte's victories, he was at a dinner of the officers; when, upon "the health of the emperor" having been given, he alone declined drinking it. In vain was he pressed on the point. "I am not thirsty," said he. By Bonaparte's abdication he lost a marshal's *baton*; but his military promotion, which then ceased, was compensated by popular honours and distinctions, which he could not have attained or enjoyed under the imperial government. Since his first admission to the Chamber of Deputies in 1819, he has been one of its most prominent orators; and in the last session he was, without

exception, the most powerful opponent of the ministry. Being one of the few members gifted with the talent of extemporaneous speaking, he was enabled to make or to repel attacks with promptitude and effect. The disease of which he died, and from which he had long suffered, did not prevent his following his occupations; but, for the eight days preceding, the heart had undergone so considerable an enlargement, that he was unable to breathe, except he lay on his back. On opening the body after death, the heart was found twice as voluminous as in the natural state, soft, and gorged with coagulated blood, which it had no longer strength to put into circulation. Mirabeau, it will be recollected, according to the report of Cabanis, likewise sunk under a disease of the heart, augmented by the fatigue of the tribune, and the cares and anxieties inseparable from business. The general has left a widow and five young children; but so strongly has the public feeling been excited in their favour, that a subscription, amounting to more than 20,000*l.*, has been raised for their support. Portraits of the general have been engraved, medals have been struck in his honour, and a public monument is to be erected to his memory. His obsequies were celebrated, on the third day after his death, at Notre Dame de Loretto. An immense crowd assembled at the residence of the general; deputies, generals, and officers of all ranks thronged the apartments. When the body was brought down into the yard of the hotel, eight young persons presented themselves to carry it on their shoulders into the church.

church. After divine service, the same persons again carried the corpse. Shortly after, the crowd made way, to allow the children of the general, conducted by his domestics, to pass through them. The procession moved in the following order :—A detachment of troops of the line, in two platoons; a platoon of chasseurs of the national guard; the mourning coach (drawn by two horses), in which was an officer; afterwards fol-

lowed nearly 6000 persons; a platoon of troops of the line at the head of the equipages, among which were the carriages of the Duke of Orleans, M. de Chateaubriand, Generals Sebastiani, Excelmans, &c. Messrs. Casimir, Perrier, and Ternaux pronounced severally a discourse over the tomb of the deceased. Twelve national guards spontaneously attended the funeral.

PROMOTIONS

IN 1825.

Viscount Mapeth, to be Lord Lieutenant of the East Riding of York.

J. N. M'Kenzie, Esq. a Lord Justiciary of Scotland.

The Duke of Northumberland, to be his Majesty's Ambassador Extraordinary to the King of France, on the occasion of his Majesty's coronation.

The Right Hon. Frederick Lamb, to be his Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of his Most Catholic Majesty.

The Right Hon. P. C. Sydney, Viscount Strangford, Ambassador Extraordinary and Plenipotentiary to the Ottoman Porte, created by patent a Baron of Great Britain and Ireland, by the title of Baron Penshurst, of Penshurst, county of Kent, to him and his heirs male.

Admiral Sir Edward Thornborough, and Admiral Sir Eliab Harvey, to be Knights Grand Crosses of the Bath.

Rear Admiral W. C. Fahie, to be K. C. B.

Francis C. Macgregor, Esq. to be Consul in the Canary Islands.

John Earl of Hopetoun to be his Majesty's Lieutenant and Sheriff Principal of the Shire of Linlithgow, *vice* Earl of Hopetoun, deceased. Sir Charles Montolieu Lamb, Bart. to be Knight Marshal of the Household, *vice* Sir J. Lamb, Bart. deceased.

Charles Richard Vaughan, to be his Majesty's Envoy Extraor-

dinary and Minister Plenipotentiary to the United States of America.

The Right Hon. James Ochoacar, Lord Forbes, to be his Majesty's High Commissioner to the General Assembly of the Church of Scotland.

Lieutenant General Sir William Clinton, G.C.B. to be Lieutenant General of the Ordinance.

Sir Thomas Cochrane, to be Governor of Newfoundland.

Sir R. Clayton, to be the British Consul at Nantes.

The Right Hon. Sir B. Bloomfield and his heirs male to be a Baron of Ireland, by the title of Baron Bloomfield of Oakhampton and Redwood in the county of Tipperary.

Lieutenant-General Sir H. Turner, K.C. and K.C.H. to be Governor and Commander-in-Chief of the Bermudas or Somers Islands.

J. H. Hudson, Esq. a Page of Honour to his Majesty in Ordinary, in the room of A. W. Torrens, Esq. promoted.

Viscount Maynard, to be Lord Lieutenant of Essex.

The Hon. W. Cust to be a Commissioner of the Customs.

Major-General Ralph Darling, to be Governor and Commander-in-Chief of New South Wales and Van Dieman's Land.

Hon. Algernon Percy, Minister Plenipotentiary to the Confederated Swiss Cantons.

H. C. J.

H. C. J. Hamilton, Esq. to be Secretary to the Embassy at Paris.

Hon. John Bloomfield, to be Secretary of Legation at Stuttgart.

E. R. Poole, Esq. to be High Bailiff of the Liberty and Franchise of the Savoy.

Mr. H. J. Amey, to be Vice Consul at Liverpool for the King of the Two Sicilies.

John Tasker Williams, Esq. to be Commissary Judge, in the room of Edward Gregory, Esq., deceased, to the Mixed Commissions at Sierra Leone.

William Sharp Mac Leay, Esq. to be Commissioner of Arbitration, in the room of Robert Francis Jameson, Esq. to the Mixed British and Spanish Court of Commission at the Havannah:

Major-General Bourk to be Lieutenant-Governor of the eastern district of the Cape of Good Hope.

W. B. Brent, Esq. Steward and one of the Judges of his Majesty's Palace Court of Westminster, in the room of Burton Morice, Esq.

The Right Hon. H. W. W. Wynn, for Privy Council.

James Earl of Ormonde, to the dignity of a Marquess of Ireland, by the title of Marquess of Ormonde.

Ulick John, Earl of Clanricarde, to a Marquess of Ireland, by the title of Marquess of Clanricarde.

To the honour of Knighthood, John Thomas Claridge, Esq. Recorder of Prince of Wales's Island.

John James de Hochpied Larpent, Esq. to be the British Consul at Antwerp and its dependencies.

Andrew H. Aikin, Esq. to be his Majesty's Consul at Archangel and its dependencies.

Thomas Seymour Hyde, Esq. to be Assistant Master and Marshal of the Ceremonies to his Majesty.

Lieut. Gen. Sir W. Houston to be Groom of his Majesty's Bedchamber.

J. Annesley, Esq. to be Consul for Catalonia, and reside at Barcelona.

SHERIFFS

FOR THE YEAR 1825.

Bedfordshire.—S. B. Edwards, of Arisey, Esq.

Berkshire.—E. F. Maitland, of Shinfield, Esq.

Buckinghamshire.—J. Dupre, of Wilton-park, Esq.

Cambridgeshire and Huntingdonshire.—Sir C. E. Nightingale, of Kneesworth, Bart.

Cheshire.—J. S. Daintry, of Sutton, Esq.

Cumberland.—M. Atkinson, of Stain-Gills, Esq.

Cornwall.—W. Baron, of Tregear, Esq.

Derbyshire.—Sir C. A. Hastings, of Willesley-hall, Bart.

Devonshire.—G. Strode, of Newnham-park, Esq.

Dorsetshire.—C. Spurrier, of Upton, Esq.

Essex.—P. Du Cane, of Braxted-lodge, Esq.

Gloucestershire.—Sir J. Musgrave, of Barnsley-park, Bart.

Herefordshire.—T. A. Knight, of Downton-castle, Esq.

Hertfordshire.—T. N. Kemble, of Gubbin-park, Esq.

Kent.—W. G. D. Tyssen, of Foley-house, Esq.

Lancaster.—J. Hargreaves, of Ormerod-house, Esq.

Leicestershire.—C. M. Phillips, of Garenden, Esq.

Lincolnshire.—Sir J. Trollope, of Carwick, Bart.

Monmouthshire.—J. Proctor, of Chepstow, Esq.

Norfolk.—J. Harvey, of Thorpe-lodge, Esq.

Northamptonshire.—Sir R. H. Gunning, of Horton, Bart.

Northumberland.—A. Gregson, of Bowsden, Esq.

Nottinghamshire.—G. Gregory, of Rempstone, Esq.

Oxfordshire.—Sir F. Desanges, of Aston-Rowant, Knight.

Rutlandshire.—J. Neal, of Belton, Esq.

Shropshire.—J. W. Dod, of Cloverley, Esq.

Somersetshire.—J. Quantock, of Norton-sub-Hamdon, Esq.

Staffordshire.—Sir G. Pigot, of Patshull, Bart.

County of Southampton.—H. P. Delme, of Cams-hall, Esq.

Suffolk.—Sir H. E. Bunbury, of Great Barton, Bart.

Surrey.—J. B. Hankey, of Fetcham-park, Esq.

Sussex.—J. H. Slater, of Newick-park, Esq.

Warwickshire.—C. Leigh, of Stoneleigh-abbey, Esq.

Wiltshire.—E. Warriner, of Conock, Esq.

Worcestershire.—T. Shrawley Vernon, of Shrawley, Esq.

Yorkshire.—J. Hutton, of Marske, Esq.

SOUTH WALES.

Carmarthenshire.—D. Jones, of Pantglas, Esq.

Pembrokeshire.—G. Lowen, of Llwyn-y-gwair, Esq.

Cardiganshire.—E. P. Lloyd, of Wernewydd, Esq.

Glamorganshire.—J. Bennet, of Lalestone, Esq.

Breconshire.—H. Allen, of Oakfield, Esq.

Radnorshire.—P. R. Mynors, of Evenjob, Esq.

NORTH WALES.

Anglesey.—T. Meyrick, of Cefncock, Esq.

Carnarvonshire.—H. D. Griffith, of Caerhun, Esq.

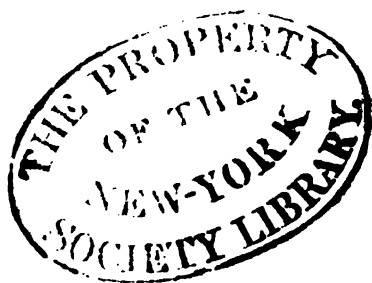
Merionethshire.—Postponed.

Montgomeryshire.—P. Morris, of Trehelig, Esq.

Denbighshire.—W. Egerton, of Greaford-lodge, Esq.

Flintshire.—J. L. Wynne, of Plasnewydd, Esq.

LITERARY RETROSPECT
AND
SELECTIONS.



THE UNIVERSITY OF CHICAGO

1911

CHICAGO, ILL.

RETROSPECT AND SELECTIONS

RELATIVE TO

LITERATURE, ARTS AND SCIENCES,
AND THE FINE ARTS.

CHAPTER I.

BIOGRAPHICAL ANECDOTES AND CHARACTERS.

1.—*Memoirs of the Life of the
Right Hon. Richard Brinsley
Sheridan. By Thomas Moore.*

FROM his birth in Dublin, in 1751, to his death in London, in 1816, Mr. Moore has traced the eventful career of the extraordinary person whose memoirs he has here given to the world—as a literary debutant, as an adventurous lover, as a married man, as a dramatic writer, as a politician—and, as a private and public character.

Mentioning Mr. Sheridan's first attempts at periodical writing, we find that, in conjunction with his early friend Mr. Halhed, he meditated a weekly miscellany, but never proceeded beyond No. I, upon which Mr. M. remarks—

“ ‘ It is a characteristic of fools,’ says some one, ‘ to be always beginning,’—and this is not the only point in which folly and genius resemble each other. So chillingly indeed do the difficulties of ex-

cution succeed to the first ardour of conception, that it is only wonderful there should exist so many finished monuments of genius, or that men of fancy should not oftener have contented themselves with those first, vague sketches, in the production of which the chief luxury of intellectual creation lies. Among the many literary works, shadowed out by Sheridan at this time, were a collection of Occasional Poems, and a volume of Crazy Tales,—to the former of which Halhed suggests that ‘ the old things they did at Harrow out of Theocritus,’ might, with a little pruning, form a useful contribution. The loss of the volume of Crazy Tales is little to be regretted, as from its title we may conclude it was written in imitation of the clever, but licentious productions of John Hall Stephenson. If the same kind of oblivion had closed over the levities of other young authors, who, in the season of folly and the pas-

sions, have made their pages the transcript of their lives, it would have been equally fortunate for themselves and the world."

He says of Miss Linley—"Her personal charms, the exquisiteness of her musical talents, and the full light of publicity which her profession threw upon both, naturally attracted round her a crowd of admirers, to whom the sympathy of a common pursuit soon kindled into rivalry, till she became at length an object of vanity as well as of love. Her extreme youth, too,—for she was little more than sixteen when Sheridan first met her,—must have removed, even from the minds of the most fastidious and delicate, that repugnance they might justly have felt to her profession, if she had lived much longer under its tarnishing influence, or lost, by frequent exhibitions before the public, that fine gloss of feminine modesty, for whose absence not all the talents and accomplishments of the whole sex can atone.

"She had been, even at this early age, on the point of marriage with Mr. Long, an old gentleman of considerable fortune in Wiltshire, who proved the reality of his attachment to her in a way which few young lovers would be romantic enough to imitate. On her secretly representing to him that she never could be happy as his wife, he generously took upon himself the whole blame of breaking off the alliance, and even indemnified the father, who was proceeding to bring the transaction into court, by settling 3000*l.* upon his daughter. Mr. Sheridan, who owed to this liberal conduct not only the possession of the woman

he loved, but the means of supporting her during the first years of their marriage, spoke invariably of Mr. Long, who lived to a very advanced age, with all the kindness and respect which such a disinterested character merited."

Mr. Sheridan's elopement with the fair maid of Bath, and his two duels with Captain Mathews on her account, are too well known to authorize repetition here; but "A curious instance of the indolence and procrastinating habits of Sheridan used to be related by Woodfall, as having occurred about this time. A statement of his conduct in the duels having appeared in one of the Bath papers, so false and calumnious as to require an immediate answer, he called upon Woodfall to request that his paper might be the medium of it. But wishing, as he said, that the public should have the whole matter fairly before them, he thought it right that the offensive statement should first be inserted, and in a day or two after be followed by his answer, which would thus come with more relevancy and effect. In compliance with his wish, Woodfall lost not a moment in transcribing the calumnious article into his columns—not doubting, of course, that the refutation of it would be furnished with still greater eagerness. Day after day, however, elapsed, and notwithstanding frequent applications on the one side, and promises on the other, not a line of the answer was ever sent by Sheridan,—who having expended all his activity in assisting the circulation of the poison, had not industry enough left to supply the antidote. Throughout his whole life, indeed, he but too consistently

consistently acted upon the principles, which the first Lord Holland used playfully to impress upon his son:—"Never do to-day what you can possibly put off till to-morrow, nor ever do, yourself, what you can get any one else to do for you."

The details respecting Mr. Sheridan's dramatic compositions are of extreme literary curiosity, and will be read with great interest not only as showing the process of the author's mind, but exhibiting much of the character of the man. One of the singularities most obvious, is his habit of repeating the same ideas. Noting Lord Chesterfield's letters, he has jotted down:

"The selfish vanity of the father appears in all these letters—his sending the copy of a letter for his sister. His object was the praise of his own mode of education. How much more noble the affection of Morni in Ossian: 'Oh, that the name of Morni, &c. &c.—Oh that the name of Morni were forgot among the people! that the heroes would only say, 'Behold the father of Gaul!' Sheridan applied this, more than thirty years after, in talking of his own son, on the hustings of Westminster, and said that, in like manner, he would ask no greater distinction than for men to point at him and say, 'There goes the father of Tom Sheridan!'"

Other instances are frequent, as for example—speaking of the beautiful song,

Ah cruel maid, how hast thou changed
The temper of my mind?

Mr. M. goes on to state—

"In comparing this poem with the original words of the air to which it is adapted, (Parnell's pretty lines, 'My days have been-

so wondrous free,') it will be felt, at once, how wide is the difference between the cold and graceful effusions of taste, and the fervid bursts of real genius—between the delicate product of the conservatory, and the rich child of the sunshine.

"I am the more confirmed in the idea that this song was written previously to the opera, and from personal feeling, by finding among his earlier pieces the originals of two other songs—'I ne'er could any lustre see,' and 'What bard, Oh Time, discover.' The thought, upon which the latter turns, is taken from a poem already cited, addressed by him to Mrs. Sheridan in 1773; and the following is the passage which supplied the material:—

'Alas! thou hast no wings, Oh Time,
It was some thoughtless lover's rhyme,
Who, writing in his Chloe's view,
Paid her the compliment through you.
For, had he, if he truly lov'd,
But once the pangs of absence prov'd,
He'd cropt thy wings, and, in their stead,
Have painted thee with heels of lead.'

"It will be seen presently, that this poem was again despoiled of some of its lines, for an epilogue which he began a few years after, upon a very different subject. There is something, it must be owned, not very sentimental in this conversion of the poetry of affection to other and less sacred uses—as if, like the ornaments of a passing pageant, it might be broken up after the show was over, and applied to more useful purposes. That the young poet should be guilty of such sacrilege to love, and thus steal back his golden offerings from the altar, to melt them down into utensils of worldly display, can only be excused, by that demand upon

the riches of his fancy, which the rapidity of his present career in the service of the dramatic muse occasioned.

"Among his habits, it may not be uninteresting to know that his hours of composition, as long as he continued to be an author, were at night, and that he required a profusion of lights around him while he wrote. Wine, too, was one of his favourite helps to inspiration:—'If the thought (he would say) is slow to come, a glass of good wine encourages it, and, when it *does* come, a glass of good wine rewards it.'

Of the poetical part of *The Foresters*, an unfinished operatic sketch, Mr. M. observes,

"The only specimens he has left are a skeleton of a chorus, beginning 'Bold Foresters we are,' and the following song, which, for grace and tenderness, is not unworthy of the hand that produced *The Duenna*:—

"We two, each other's only pride,
Each other's bliss, each other's guide,
Far from the world's unhalloved noise,
Its coarse delights and tainted joys,
Through wilds will roam and deserts
rude—

Far, Love, thy home is solitude.

There shall no vain pretender be,
To court thy smile and torture me;
No proud superior there be seen,
But Nature's voice shall hail thee queen.

With fond respect and tender awe,
I will receive thy gentle law,
Obey thy looks, and serve thee still,
Prevent thy wish, foresee thy will,
And, added to a lover's care,
Be all that friends and parents are."

He adds, "But, of all Mr. Sheridan's unfinished designs, the comedy which he meditated on the subject of affectation, is that of which the abandonment is most to be regretted. To a satirist who would not confine his ridicule to

the mere outward demonstrations of this folly, but would follow and detect it through all its windings and disguises, there could hardly perhaps be a more fertile theme. Affectation, merely of *manner*, being itself a sort of acting, does not easily admit of any additional colouring on the stage, without degenerating into farce; and, accordingly, fops and fine ladies—with very few exceptions—are about as silly and tiresome in representation as in reality. But the aim of the dramatist, in this comedy, would have been far more important and extensive;—and how anxious he was to keep before his mind's eye the whole wide horizon of folly which his subject opened upon him, will appear from the following list of the various species of affectation, which I have found written by him, exactly as I give it, on the inside cover of the memorandum-book, that contains the only remaining vestiges of this play:

"An affectation of business—of accomplishments—of love and letters and wit—music—of intrigue—of sensibility—of vivacity—of silence and importance—of modesty—of profligacy—of moroseness."

"In this projected comedy he does not seem to have advanced as far as even the invention of the plot or the composition of a single scene. The memorandum-book alluded to—on the first leaf of which he had written in his neatest hand (as if to encourage himself to begin) "affectation"—contains, besides the names of three of the intended personages, Sir Babble Bore, Sir Peregrine Paradox, and Feignwit, nothing but unembodied sketches of character,

acter, and scattered particles of wit, which seem waiting, like the imperfect forms and seeds in chaos, for the brooding of genius to nurse them into system and beauty.

Character—MR. BUSTLE.

"A man who delights in hurry and interruption—will take any one's business for them—leaves the world where all his plagues may follow him—governor of all hospitals, &c.—share in Ranelagh—speaker every where, from the vestry to the house of commons—'I am not at home—gad, now he has heard me, and I must be at home.'—'Here am I so plagued, and there is nothing I love so much as retirement and quiet.'—'You never sent after me.'—Let servants call in to him such a message as 'Tis nothing but the window-tax,' he hiding in a room that communicates.—A young man tells him some important business in the middle of fifty trivial interruptions, and the calling in of idlers; such as fiddlers, wild-beast men, foreigners with recommendatory letters, &c.—answers notes on his knee, 'and so your uncle died?—for your obliging enquiries—and left you an orphan—to cards in the evening.'

"Can't bear to be doing nothing.—'Can I do any thing for any body any where?'—'Have been to the secretary—written to the treasury.'—'Must proceed to meet the commissioners, and write Mr. Price's little boy's exercise.' The most active idler and laborious trifler.

"He does not in reality love business—only the appearance of it. 'Ha! ha! did my lord say that I was always very busy?—What, plagued to death?'

"Keeps all his letters and co-

pies—'Mem. to meet the hackney-coach commissioners—to arbitrate between, &c. &c.'

"Contrast with the man of indolence, his brother.—'So, brother, just up! and I have been &c. &c.'—one will give his money from indolent generosity, the other his time from restlessness.—'Twill be shorter to pay the bill than look for the receipt.'—Files letters, answered and unanswered—'Why, here are more unopened than answered?'

"He regulates every action by a love for fashion—will grant annuities though he doesn't want money—appear to intrigue, though constant; to drink, though sober—has some fashionable vices—affects to be distressed in his circumstances, and, when his new vis-a-vis comes out, procures a judgment to be entered against him—wants to lose, but by ill luck wins five thousand pounds.

"One who changes sides in all arguments the moment any one agrees with him.

"An irresolute arguer, to whom it is a great misfortune that there are not three sides to a question—a libertine in argument; conviction, like enjoyment, palls him, and his rakish understanding is soon satiated with truth—more capable of being faithful to a paradox—'I love truth as I do my wife; but sophistry and paradoxes are my mistresses—I have a strong domestic respect for her, but for the other the passion due to a mistress.'

"One, who agrees with every one, for the pleasure of speaking their sentiments for them—so fond of talking that he does not contradict only because he can't wait to hear people out.

"A pretty

"A pretty woman studying looks and endeavouring to recollect an ogle, like Lady —, who has learned to play her eyelids like Venetian blinds.

"An old woman endeavouring to put herself back to a girl.

"A true trained wit lays his plan like a general—foresees the circumstances of the conversation—surveys the ground and contingencies—detaches a question to draw you into the palpable ambushade of his ready-made joke.

"A man intriguing, only for the reputation of it—to his confidential servant: 'Who am I in love with now?'—'The newspapers give you so and so—you are laying close siege to Lady L. in the Morning Post, and have succeeded with Lady G. in the Herald—Sir F. is very jealous of you in the Gazetteer.'—'Remember to-morrow, the first thing you do, to put me in love with Mrs. C.'

"I forgot to forget the billet-doux at Brooks's.'—'By the bye, an't I in love with you?'—'Lady L. has promised to meet me in her carriage to-morrow—where is the most public place?'

"You are rude to her!'—'Oh no, upon my soul, I made love to her directly.'

"An old man, who affects intrigue, and writes his own reproaches in the Morning Post, trying to scandalize himself into the reputation of being young, as if he could obscure his age by blotting his character—though never so little candid as when he's abusing himself.

"Shall you be at Lady —'s?—'I'm told the Bramin is to be there, and the new French philosopher.'—'No—it will be plea-

santer at Lady —'s conversation—the cow with two heads will be there.'

"I shall order the valet to shoot me the very first thing he does in the morning.'

"A fat woman trundling into a room on castors—in sitting can only lean against her chair—rings on her fingers, and her fat arms strangled with bracelets, which belt them like corded brawn—rolling and heaving when she laughs with the rattles in her throat, and a most apoplectic ogle—you wish to draw her out, as you would an opera-glass.

"The loadstone of true beauty draws the heaviest substances—not like the fat dowager, who frets herself into warmth to get the notice of a few *papier mâché* sops, as you rub Dutch sealing-wax to draw paper.

"If I were inclined to flatter, I would say that, as you are unlike other women, you ought not to be won as they are. Every woman can be gained by time, therefore you ought to be by a sudden impulse. Sighs, devotion, attention, weigh with others; but they are so much your due, that no one should claim merit from them. . . .

"You should not be swayed by common motives—how heroic to form a marriage for which no human being can guess the inducement—what a glorious unaccountableness! All the world will wonder what the devil you could see in me; and, if you should doubt your singularity, I pledge myself to you that I never yet was endured by woman; so that I should owe every thing to the effect of your bounty, and not by my own superfluous deserts make it a debt, and so lessen both the obligation

obligation and my gratitude. In short, every other woman follows her inclination, but you, above all things, should take me, if you do not like me. You will, besides, have the satisfaction of knowing that we are decidedly the worst match in the kingdom—a match, too, that must be all your own work, in which fate could have no hand, and which no foresight could foresee.

“*Lady Clio.*—‘What am I reading?’—‘have I drawn nothing lately?’—is the work-bag finished?—how accomplished I am!—has the man been to untune the harpsichord?—does it look as if I had been playing on it?’

“‘Shall I be ill to-day?—shall I be nervous?’—‘your la’ship was nervous yesterday.’—‘Was I?—then I’ll have a cold—I haven’t had a cold this fortnight—a cold is becoming—no—I’ll not have a cough; that’s fatiguing—I’ll be quite well.’—‘You become sickness—your la’ship always looks vastly well when you’re ill.’

“‘Leave the book half read and the rose half finished—you know I love to be caught in the fact.’

“‘One who knows that no credit is ever given to his assertions has the more right to contradict his words.’

“He goes the western circuit, to pick up small fees and impudence.

“The rough sketches and fragments of poems, which Mr. Sheridan left behind him, are numerous; but those among them that are sufficiently finished to be cited, bear the marks of having been written when he was very young, and would not much interest the reader—while of the rest it is

difficult to find four consecutive lines, that have undergone enough of the *toilette* of composition to be presentable in print. It was his usual practice, when he undertook any subject in verse, to write down his thoughts first in a sort of poetical prose,—with, here and there, a rhyme or a metrical line, as they might occur—and then, afterwards to reduce, with much labour, this anomalous compound to regular poetry. The birth of his prose being, as we have already seen, so difficult, it may be imagined how painful was the travail of his verse. Indeed, the number of tasks which he left unfinished are all so many proofs of that despair of perfection, which those best qualified to attain it are always the most likely to feel.

“Richardson was remarkable for his love of disputation; and Tickell, when hard pressed by him in argument, used often, as a last resource, to assume the voice and manner of Mr. Fox, which he had the power of mimicking so exactly, that Richardson confessed he sometimes stood awed and silenced by the resemblance.

“This disputatious humour of Richardson was once turned to account by Sheridan in a very characteristic manner. Having had a hackney-coach in his employ for five or six hours, and not being provided with the means of paying it, he happened to espy Richardson in the street, and proposed to take him in the coach some part of his way. The offer being accepted, Sheridan lost no time in starting a subject of conversation, on which he knew his companion was sure to become argumentative

argumentative and animated. Having, by well-managed contradiction, brought him to the proper pitch of excitement, he affected to grow impatient and angry himself, and saying that 'he could not think of staying in the same coach with a person that would use such language,' pulled the check-string, and desired the coachman to let him out. Richardson, wholly occupied with the argument, and regarding the retreat of his opponent as an acknowledgment of defeat, still pressed his point, and even hollowed 'more last words' through the coach window after Sheridan, who, walking quietly home, left the poor disputant responsible for the heavy fare of the coach."

"On one occasion, Sheridan having covered the floor of a dark passage, leading from the drawing-room, with all the plates and dishes of the house, ranged closely together, provoked his unconscious play-fellow to pursue him into the midst of them. Having left a path for his own escape, he passed through easily; but Tickell, falling at full length into the ambuscade, was very much cut in several places. The next day Lord John Townshend, on paying a visit to the bed-side of Tickell, found him covered over with patches, and indignantly vowing vengeance against Sheridan for this unjustifiable trick. In the midst of his anger, however, he could not help exclaiming, with the true feeling of an amateur of this sort of mischief, 'but how amazingly well done it was!'"

"The Rev. Mr. O'B—— (afterwards Bishop of ——) having arrived to dinner at Sheridan's country-house near Osterley,

where, as usual, a gay party was collected, (consisting of General Burgoyne, Mrs. Crewe, Tickell, &c.) it was proposed that on the next day (Sunday) the reverend gentleman should, on gaining the consent of the resident clergyman, give a specimen of his talents as a preacher in the village church. On his objecting that he was not provided with a sermon, his host offered to write one for him, if he would consent to preach it; and the offer being accepted, Sheridan left the company early, and did not return for the remainder of the evening. The following morning Mr. O'B—— found the manuscript by his bed-side, tied together neatly (as he described it) with riband: the subject of the discourse being the 'Abuse of Riches.' Having read it over and corrected some theological errors, (such as 'it is easier for a camel, *as Moses says*,' &c.) he delivered the sermon in his most impressive style, much to the delight of his own party, and to the satisfaction, as he unexpectedly flattered himself, of all the rest of the congregation, among whom was Mr. Sheridan's wealthy neighbour, Mr. C.

"Some months afterwards, however, Mr. O'B—— perceived that the family of Mr. C——, with whom he had previously been intimate, treated him with marked coldness; and on his expressing some innocent wonder at the circumstance, was at length informed, to his dismay, by General Burgoyne, that the sermon which Sheridan had written for him was, throughout, a personal attack upon Mr. C——, who had at that time rendered himself very unpopular in the neighbourhood by some harsh

harsh conduct to the poor, and to whom every one in the church, except the unconscious preacher, applied almost every sentence of the sermon."

"It is said that, as he sat at the Piazza Coffee-house, during the fire, [D. L. Theatre,] taking some refreshment, a friend of his having remarked on the philosophic calmness with which he bore his misfortune, Sheridan answered, 'A man may surely be allowed to take a glass of wine by his own fire-side.'"

"The first sketch of the School for Scandal that occurs was written, I am inclined to think, before the Rivals, or at least very soon after it;—and that it was his original intention to satirise some of the gossips of Bath, appears from the title under which I find noted down, as follows, the very first hints, probably, that suggested themselves for the dialogue.

'The SLANDERERS—A Pump-room scene.

'Friendly caution to the newspapers.

'It is whispered—

'She is a constant attendant at church, and very frequently takes Dr. M'Brown home with her.

'Mr. Worthy is very good to the girl;—for my part, I dare swear he has no ill intention.

'What! Major Wesley's Miss Montague?

'Lud, ma'am, the match is certainly broke—no creature knows the cause;—some say a flaw in the lady's character, and others, in the gentleman's fortune.

'To be sure they do say—

'I hate to repeat what I hear.

'She was inclined to be a little plump before she went.

'The most intrepid blush;—I've known her complexion stand fire for an hour together.

"She had twins."—How ill natured! as I hope to be saved, ma'am, she had but one; and that a little starved brat not worth mentioning."

"It appears singular that, during the life of Mr. Sheridan, no authorized or correct edition of this play should have been published in England. He had, at one time, disposed of the copy-right to Mr. Ridgway, of Piccadilly, but, after repeated application from the latter for the manuscript, he was told by Mr. Sheridan, as an excuse for keeping it back, that he had been nineteen years endeavouring to satisfy himself with the style of the School for Scandal, but had not yet succeeded. Mr. Ridgway, upon this, ceased to give him any further trouble on the subject.

"He never made a speech of any moment, of which the sketch, more or less detailed, has not been found among his papers—with the showier passages generally written two or three times over (often without any material change in their form) upon small detached pieces of paper, or on cards. To such minutiae of effect did he attend, that I have found, in more than one instance, a memorandum made of the precise place in which the words 'Good God, Mr. Speaker,' were to be introduced. These preparatory sketches are continued down to his latest displays; and it is observable that when, from the increased derangement of his affairs, he had no longer leisure or collectedness enough to prepare, he ceased to speak.

"The only time he could have found for this pre-arrangement of his thoughts (of which few, from the apparent idleness of his life, suspected him) must have been during the many hours of the day that he remained in bed,—when, frequently, while the world gave him credit for being asleep, he was employed in laying the frame-work of his wit and eloquence for the evening.

"That this habit of premeditation was not altogether owing to a want of quickness, appears from the power and liveliness of his replies in parliament, and the vivacity of some of his retorts in conversation.

"Some mention having been made in his presence of a tax upon mile-stones, Sheridan said, 'such a tax would be unconstitutional;—as they were a race that could not meet to remonstrate.'

"As an instance of his humour, I have been told that, in some country-house where he was on a visit, an elderly maiden lady having set her heart on being his companion in a walk, he excused himself at first on account of the badness of the weather. Soon afterwards, however, the lady intercepted him in an attempt to escape without her :—'Well,' she said, 'it has cleared up, I see.'—'Why yes,' he answered, 'it has cleared up enough for *one*, but not for *two*.'

"The labour, indeed, which he found necessary for his public displays was, in a great degree, the combined effect of his ignorance and his taste;—the one rendering him fearful of committing himself on the *matter* of his task, and the other making him fasti-

dious and hesitating as to the *manner* of it. I cannot help thinking, however, that there must have been, also, a degree of natural slowness in the first movements of his mind upon any topic.

"Among the proofs of this dependence of his fancy upon time and thought for its developement, may be mentioned his familiar letters, as far as their fewness enables us to judge. Had his wit been a 'fruit, that would fall without shaking,' we should, in these communications at least, find some casual windfalls of it. But, from the want of sufficient time to search and cull, he seems to have given up, in despair, all thoughts of being lively in his letters; and, accordingly, as the reader must have observed in the specimens that have been given, his compositions in this way are not only unenlivened by any excursions beyond the bounds of mere matter of fact, but, from the habit or necessity of taking a certain portion of time for correction, are singularly confused, disjointed, and inelegant in their style.

"It is certain that even his *bon-mots* in society were not always to be set down to the credit of the occasion; but that, frequently, like skilful priests, he prepared the miracle of the moment beforehand. Nothing, indeed, could be more remarkable than the patience and tact, with which he would wait through a whole evening for the exact moment, when the shaft, which he had ready feathered, might be let fly with effect. There was no effort, either obvious or disguised, to lead to the subject—no 'question detached (as he himself expresses it) to draw you into the ambuscade of his ready-made
joke'

joke'—and, when the lucky moment *did* arrive, the natural and accidental manner, in which he would let this treasured sentence fall from his lips, considerably added to the astonishment and the charm. So bright a thing, produced so easily, seemed like the delivery of Wieland's Armanda in a dream;—and his own apparent unconsciousness of the value of what he said, might have deceived dull people into the idea that there was really nothing in it.

"The consequence of this practice of waiting for the moment of effect was (as all, who have been much in his society, must have observed,) that he would remain inert in conversation, and even taciturn, for hours, and then suddenly come out with some brilliant sally, which threw a light over the whole evening, and was carried away in the memories of all present. Nor must it be supposed that in the intervals, either before or after these flashes, he ceased to be agreeable; on the contrary, he had a grace and good nature in his manner, which gave a charm to even his most ordinary sayings,—and there was, besides, that ever-speaking lustre in his eye, which made it impossible, even when he was silent, to forget who he was.

"A curious instance of the care with which he treasured up the felicities of his wit appears in the use he made of one of those epigrammatic passages, which the reader may remember among the memorandums for his Comedy of Affectation, and which, in its first form, ran thus:—'He certainly has a great deal of fancy, and a very good memory; but, with a perverse ingenuity, he employs

these qualities as no other person does—for he employs his fancy in his narratives, and keeps his recollection for his wit:—when he makes his jokes, you applaud the accuracy of his memory, and 'tis only when he states his facts that you admire the flights of his imagination.' After many efforts to express this thought more concisely, and to reduce the language of it to that condensed and elastic state, in which alone it gives force to the projectiles of wit, he kept the passage by him patiently some years,—till he at length found an opportunity of turning it to account, in a reply, I believe, to Mr. Dundas, in the house of commons, when, with the most extemporaneous air, he brought it forth, in the following compact and pointed form:—'The right honourable gentleman is indebted to his memory for his jests, and to his imagination for his facts.'"

At the latter period of his days, about 1789-90, we are told,

"Of his happiness, at the period of which we are speaking, in the midst of so much success and hope, there can be but little doubt. Though pecuniary embarrassment, as appears from his papers, had already begun to weave its fatal net around him, there was as yet little more than sufficed to give exercise to his ingenuity, and the resources of the Drury-lane treasury were still in full nightly flow. The charms by which his home was embellished, were such as few other homes could boast; and, if any thing made it less happy than it ought to be, the cause was to be found in the very brilliancy of his life and attractions, and in those triumphs out of the sphere of

of domestic love, to which his vanity, perhaps, oftener than his feelings, impelled him.

"Among his own immediate associates, the gaiety of his spirits amounted almost to boyishness. He delighted in all sorts of dramatic tricks and disguises; and the lively parties, with which his country-house was always filled, were kept in momentary expectation of some new device for their mystification or amusement.* It was not unusual to despatch a man and a horse seven or eight miles for a piece of crape or a mask, or some other such trifle for these frolics. His friends Tickell and Richardson, both men of wit and humour, and the former possessing the same degree of light and animal spirits as himself, were the constant companions of all his social hours, and kept up with him that ready rebound of pleasantry, without which the play of wit languishes.

"Having taken a cursory view of his literary, political, and social qualities, it remains for me to say a few words upon that most important point of all, his moral character.

"There are few persons, as we have seen, to whose kind and affectionate conduct, in some of the most interesting relations of do-

mestic life, so many strong and honourable testimonies remain. The pains he took to win back the estranged feelings of his father, and the filial tenderness with which he repaid long years of parental caprice, show a heart that had, at least, set out by the right road, however in after years it may have missed the way. The enthusiastic love which his sister bore him, and retained, unblighted by distance or neglect, is another proof of the influence of his amiable feelings, at that period of life when he was as yet unspoiled by the world. We have seen the romantic fondness which he preserved towards the first Mrs. Sheridan, even while doing his utmost, and in vain, to extinguish the same feeling in her. With the second wife, a course nearly similar was run;—the same 'scatterings and eclipses' of affection, from the irregularities and vanities, in which he continued to indulge, but the same hold kept of each other's hearts to the last. Her early letters to him breathe a passion little short of idolatry, and her devoted attentions beside his death-bed showed that the essential part of the feeling still remained.

"To claim an exemption for frailties and irregularities on the

* "To give some idea of the youthful tone of this society, I shall mention one out of many anecdotes related to me by persons who had themselves been ornaments of it. The ladies having one evening received the gentlemen in masquerade dresses, which, with their obstinate silence, made it impossible to distinguish one from the other, the gentlemen, in their turn, invited the ladies, next evening, to a similar trial of conjecture on themselves; and notice being given that they were ready dressed, Mrs. Sheridan and her companions were admitted into the dining-room, where they found a party of Turks, sitting silent and masked round the table. After a long course of the usual guesses, exclamation, &c. &c., and each lady having taken the arm of the person she was most sure of, they heard a burst of laughter through the half open door, and looking there saw the gentlemen themselves in their proper persons,—the masks, upon whom they had been lavishing their sagacity, being no other than the maid-servants of the house, who had been thus dressed up to deceive them."

score of genius, while there are such names as Milton and Newton on record, were to be blind to the example which these and other great men have left, of the grandest intellectual powers combined with the most virtuous lives. But, for the bias given early to the mind by education and circumstances, even the least charitable may be inclined to make large allowances. We have seen how idly the young days of Sheridan were wasted—how soon he was left (in the words of the prophet) ‘to dwell carelessly,’ and with what an undisciplined temperament he was thrown upon the world, to meet at every step that never-failing spring of temptation, which, like the fatal fountain in the garden of Armida, sparkles up for ever in the pathway of such a man :—

‘Un fonte sorge in lei, che vaghe e
monde
Ha l’acque sì, che i riguardanti asseta,
Ma dentro ai freddi suoi cristalli as-
conde
Di tosto estran malvagità secreta.’

“Even marriage, which is among the sedatives of other men’s lives, but formed a part of the romance of his. The very attractions of his wife increased his danger, by doubling, as it were, the power of the world over him, and leading him astray by her light as well as by his own. Had his talents, even then, been subjected to the *manège* of a profession, there was still a chance that business, and the round of regularity which it requires, might have infused some spirit of order into his life. But the stage—his glory and his ruin—opened upon him; and the property of which it made him master was exactly of that treacherous kind,

which not only deceives a man himself, but enables him to deceive others, and thus combined all that a person of his carelessness and ambition had most to dread. An uncertain income, which, by eluding calculation, gives an excuse for improvidence, and, still more fatal, a facility of raising money, by which the lesson, that the pressure of distress brings with it, is evaded till it comes too late to be of use—such was the dangerous power put into his hands, in his six-and-twentieth year, and amidst the intoxication of as deep and quick draughts of fame as ever young author quaffed. Scarcely had the zest of this excitement begun to wear off, when he was suddenly transported into another sphere, where successes still more flattering to his vanity awaited him. Without any increase of means, he became the companion and friend of the first nobles and princes, and paid the usual tax of such unequal friendships, by, in the end, losing them and ruining himself. The vicissitudes of a political life, and those deceitful vistas into office that were for ever opening on his party, made his hopes as fluctuating and uncertain as his means, and encouraged the same delusive calculations on both. He seemed, at every new turn of affairs, to be on the point of redeeming himself; and the confidence of others in his resources was no less fatal to him than his own, as it but increased the facilities of ruin that surrounded him.

“Such a career as this—so shaped towards wrong, so inevitably devious—it is impossible to regard otherwise than with the most charitable allowances. It was one long paroxysm of excitement

ment—no pause for thought—no inducements to prudence—the attractions all drawing the wrong way, and a voice, like that which Bossuet describes, crying inexorably from behind him, 'On, on!' Instead of wondering at the wreck that followed all this, our only surprise should be, that so much remained uninjured through the trial,—that his natural good feelings should have struggled to the last with his habits, and his sense of all that was right in conduct so long survived his ability to practise it.

"Numerous, however, as were the causes that occurred to disorganise his moral character, in his pecuniary embarrassment lay the source of those blemishes that discredited him most in the eyes of the world. He might have indulged his vanity and his passions, like others, with but little loss of reputation, if the consequence of these indulgences had not been obtruded upon observation in the forbidding form of debts and distresses. So much did his friend Richardson, who thoroughly knew him, consider his whole character to have been influenced by the straitened circumstances in which he was placed, that he used often to say, 'If an enchanter could, by the touch of his wand, endow Sheridan suddenly with fortune, he would instantly transform him into a most honourable and moral man.' As some corroboration of this opinion, I must say that, in the course of the inquiries which my task of biographer imposed upon me, I have found all who were ever engaged in pecuniary dealings with him, not excepting those who suffered most severely by his irregularities, (among which

class I may cite the respected name of Mr. Hammersley) unanimous in expressing their conviction that he always *meant* fairly and honourably; and that to the inevitable pressure of circumstances alone, any failure that occurred in his engagements was to be imputed.

"There cannot, indeed, be a stronger exemplification of the truth, that a want of regularity becomes, itself, a vice, from the manifold evils to which it leads, than the whole history of Mr. Sheridan's pecuniary transactions. So far from never paying his debts, as is often asserted of him, he was, in fact, always paying;—but in such a careless and indiscriminate manner, and with so little justice to himself or others, as often to leave the respectable creditor to suffer for his patience, while the fraudulent dun was paid two or three times over. Never examining accounts, nor referring to receipts, he seemed as if (in imitation of his own Charles, preferring generosity to justice) he wished to make *paying* as like as possible to *giving*. Interest, too, with its usual silent accumulation, swelled every debt; and I have found several instances among his accounts where the interest upon a small sum had been suffered to increase till it outgrew the principal;—'*minima pars ipsa puella sui.*'

"Notwithstanding all this, however, his debts were by no means so considerable as has been supposed. In the year 1808, he empowered Sir R. Berkely, Mr. Peter Moore, and Mr. Frederick Homan, by power of attorney, to examine into his pecuniary affairs and take measures for the discharge of all claims

claims upon him. These gentlemen, on examination, found that his *bonâ fide* debts were about 10,000*l.*, while his apparent debts amounted to five or six times as much. Whether from conscientiousness or from pride, however, he would not suffer any of the claims to be contested, but said that the demands were all fair, and must be paid just as they were stated; though it was well known that many of them had been satisfied more than once. These gentlemen, accordingly, declined to proceed any farther with their commission.

"On the same false feeling he acted in 1813-14, when the balance due on the sale of his theatrical property was paid him, in a certain number of shares. When applied to by any creditor, he would give him one of these shares, and allowing his claim entirely on his own showing, leave him to pay himself out of it, and refund the balance. Thus irregular at all times, even when most wishing to be right, he deprived honesty itself of its merit and advantages; and, where he happened to be just, left it doubtful, (as Locke says of those religious people, who believe right by chance, without examination) 'whether even the luckiness of the accident excused the irregularity of the proceeding.'

The consequence, however, of this continual paying was, that the number of his creditors gradually diminished, and that, ultimately, the amount of his debts was, taking all circumstances into account, by no means considerable. Two years after his death, it appeared, by a list made up by his solicitor, from claims sent in to him, in consequence of an advertisement in the 1825.

newspapers, that the *bonâ fide* debts amounted to about five thousand five hundred pounds.

"If, therefore, we consider his pecuniary irregularities in reference to the injury that they inflicted upon others, the quantum of evil for which he is responsible becomes, after all, not so great. There are many persons in the enjoyment of fair characters in the world, who would be happy to have no deeper encroachment upon the property of others to answer for; and who may well wonder by what unlucky management Sheridan could contrive to found so extensive a reputation for bad pay upon so small an amount of debt.

"Let it never, too, be forgotten, in estimating this part of his character, that had he been less consistent and disinterested in his public conduct, he might have commanded the means of being independent and respectable in private. He might have died a rich apostate, instead of closing a life of patriotism in beggary. He might (to use a fine expression of his own) have 'hid his head in a coronet,' instead of earning for it but the barren wealth of public gratitude. While, therefore, we admire the great sacrifice that he made, let us be tolerant to the errors and imprudences which it entailed upon him; and, recollecting how vain it is to look for any thing unalloyed in this world, rest satisfied with the martyr, without requiring, also, the saint."

From the political portion of this publication we have stedfastly abstained; suffice it to say, that the author shows himself to be a steady adherent to his well-known whig principles. Without ques-

tioning these, or, indeed, giving any opinion at all, we think the following extract may amuse our readers :—

“ Whiggism is a sort of political protestantism, and pays a similar tax for the freedom of its creed, in the multiplicity of opinions which that very freedom engenders—while true toryism, like popery, holding her children together by the one common doctrine of the infallibility of the throne, takes care to repress any schism inconvenient to their general interest, and keeps them, at least for all intents and purposes of placeholding, unanimous.”

Upon the conduct of the whigs towards the Prince of Wales (our present king) he elsewhere implies a very pungent censure.

“ That a young prince, fond of pleasure and impatient of restraint, should have thrown himself into the arms of those who were most likely to be indulgent to his errors, is nothing surprising, either in politics or ethics. But that mature and enlightened statesmen, with the lessons of all history before their eyes, should have been equally ready to embrace such a rash alliance, or should count upon it as any more than a *temporary instrument of faction*, is, to say the least of it, one of those self-delusions of the *wise*, which show how vainly the voice of the past may speak amid the loud appeals and temptations of the present. The last Prince of Wales, it is true, by whom the popular cause was espoused, had left the lesson imperfect, by dying before he came to the throne. But this deficiency has since been amply made up; and future whigs, who may be placed in similar circumstances,

will have, at least, one historical warning before their eyes, which ought to be enough to satisfy the most unreflecting and credulous.”

At page 540, there is the following *jeu-d'esprit* :—

“ I have (says Mr. M.) already given a humorous dedication of the *Rivals*, written by Tickell on the margin of a copy of that play in my possession. I shall now add another piece of still more happy humour, with which he has filled, in very neat handwriting, the three or four first pages of the same copy.

“ ‘The *Rivals*, a comedy—one of the best in the English language—written as long ago as the reign of George the Third. The author’s name was Sheridan—he is mentioned by the historians of that age as a man of uncommon abilities, very little improved by cultivation. His confidence in the resources of his own genius and his aversion to any sort of labour were so great, that he could not be prevailed upon to learn either to read or write. He was, for a short time, manager of one of the play-houses, and conceived the extraordinary and almost incredible project of composing a play extempore, which he was to recite in the green-room to the actors, who were immediately to come on the stage and perform it. The players refusing to undertake their parts at so short a notice, and with so little preparation, he threw up the management with disgust.

“ ‘He was a member of the last parliaments that were summoned in England, and signalized himself on many occasions by his wit and eloquence, though he seldom came to the house till the debate was nearly concluded, and never spoke, unless he was drunk. He lived

on a footing of great intimacy with the famous Fox, who is said to have concerted with him the audacious attempt which he made about the year 1788, to seize the whole property of the East India Company, amounting at that time to above 12,000,000*l.* sterling, and then to declare himself Lord Protector of the realm, by the title of Carlo Khan. This desperate scheme actually received the consent of the lower house of parliament, the majority of whom were bribed by Fox, or intimidated by his and Sheridan's threats and violence; and it is generally believed that the revolution would have taken place, if the lords of the king's bedchamber had not in a body surrounded the throne, and shewn the most determined resolution not to abandon their posts but with their lives. The usurpation being defeated, parliament was dissolved and loaded with infamy. Sheridan was one of the few members of it who were re-elected:—the burgesses of Stafford, whom he had kept in a constant state of intoxication for near three weeks, chose him again to represent them, which he was well qualified to do.

“Fox's whig party being very much reduced, or rather almost annihilated, he and the rest of the conspirators remained quiet for some time; till, in the year 1788, the French, in conjunction with Tippoo Sultan, having suddenly seized and divided between themselves the whole of the British possessions in India, the East India Company broke, and a national bankruptcy was apprehended. During this confusion, Fox and his partisans assembled in large bodies, and made a violent

attack in parliament on Pitt, the king's first minister:—Sheridan supported and seconded him. Parliament seemed disposed to inquire into the cause of the calamity: the nation was almost in a state of actual rebellion; and it is impossible for us, at the distance of 300 years, to form any judgment what dreadful consequences might have followed, if the king, by the advice of the lords of the bedchamber, had not dissolved the parliament, and taken the administration of affairs into his own hands, and those of a few confidential servants, at the head of whom he was pleased to place one Mr. Atkinson, a merchant, who had acquired a handsome fortune in the Jamaica trade, and passed universally for a man of unblemished integrity. His Majesty having now no farther occasion for Pitt, and being desirous of rewarding him for his past services, and, at the same time, finding an adequate employment for his great talents, caused him to enter into holy orders, and presented him with the deanery of Windsor, where he became an excellent preacher, and published several volumes of sermons, all of which are now lost.

“To return to Sheridan:—on the abrogation of parliament, he entered into a closer connexion than ever with Fox and a few others of lesser note, forming together as desperate and profligate a gang as ever disgraced a civilized country. They were guilty of every species of enormity, and went so far as even to commit robberies on the highway, with a degree of audacity that could be equalled only by the ingenuity with which they escaped conviction. Sheridan, not satisfied with

eluding, determined to mock the justice of his country, and composed a masque called 'The Foresters,' containing a circumstantial account of some of the robberies he had committed, and a good deal of sarcasm on the pusillanimity of those whom he had robbed, and the inefficacy of the penal laws of the kingdom. This piece was acted at Drury-lane theatre with great applause, to the astonishment of all sober persons, and the scandal of the nation. His Majesty, who had long wished to curb the licentiousness of the press and the theatres, thought this a good opportunity. He ordered the performers to be enlisted into the army, the play-house to be shut up, and all theatrical exhibitions to be forbid on pain of death. Drury-lane play-house was soon after converted into a barrack for soldiers, which it has continued to be ever since. Sheridan was arrested, and, it was imagined, would have suffered the rack, if he had not escaped from his guard by a stratagem, and gone over to Ireland in a balloon with which his friend Fox had furnished him. Immediately on his arrival in Ireland, he put himself at the head of a party of the most violent reformers, commanded a regiment of volunteers at the siege of Dublin in 1791, and was supposed to be the person who planned the scheme for tarring and feathering Mr. Jenkinson, the lord-lieutenant, and forcing him in that condition to sign the capitulation of the castle. The persons who were to execute this strange enterprise had actually got into the lord-lieutenant's apartment at midnight, and would probably have succeeded in their project, if She-

ridan, who was intoxicated with whiskey, a strong liquor much in vogue with the volunteers, had not attempted to force open the door of Mrs. ———'s bedchamber, and so given the alarm to the garrison, who instantly flew to arms, seized Sheridan and every one of his party, and confined them in the castle dungeon. Sheridan was ordered for execution the next day, but had no sooner got his legs and arms at liberty, than he began capering, jumping, dancing, and making all sorts of antics, to the utter amazement of the spectators. When the chaplain endeavoured, by serious advice and admonition, to bring him to a proper sense of his dreadful situation, he grinned, made faces at him, tried to tickle him, and played a thousand other pranks with such astonishing drollery, that the gravest countenances became cheerful, and the saddest hearts glad. The soldiers who attended at the gallows were so delighted with his merriment, which they deemed magnanimity, that the sheriffs began to apprehend a rescue, and ordered the hangman instantly to do his duty. He went off in a loud horse-laugh, and cast a look towards the castle, accompanied with a gesture expressive of no great respect.

"Thus ended the life of this singular and unhappy man—a melancholy instance of the calamities that attend the misapplication of great and splendid ability. He was married to a very beautiful and amiable woman, for whom he is said to have entertained an unalterable affection. He had one son, a boy of the most promising hopes, whom he would never suffer to be instructed in the first rudiments

ments of literature. He amused himself, however, with teaching the boy to draw portraits with his toes, in which he soon became so astonishing a proficient, that he seldom failed to take a most exact likeness of every person who sat to him.

“ ‘There are a few more plays by the same author, all of them excellent.

“ ‘For further information concerning this strange man, vide ‘Macpherson’s Moral History.’ Art. ‘*Drunkenness*.’”

2. *Memoirs of John Philip Kemble, Esq. including a History of the Stage, &c. &c.* By J. Boaden, Esq.

Mr. Boaden, the author of the volumes before us, was a personal friend of Mr. Kemble for more than thirty years; he has always been warmly attached to dramatic literature, and a constant attendant at the theatres. His book contains not only an ample biographical account of our great actor, but adds one more link to the chain of dramatic history; it completes what Cibber, in his “Apology,” commenced, and Davies, in his “Life of Garrick,” continued; and therefore brings down the annals of the theatres almost to the present day. Passing over the account of the birth, the education, and the country engagements of our hero, we shall first of all introduce him as making his appearance in London. Before, however, we do this, we will give Mr. Boaden’s sketch of two celebrated actors, who were then much admired by the town—Messrs. Dodd and Bensley. He has been speaking of Palmer, and he thus proceeds :

“Dodd, with more confined powers, was one of the most perfect actors that I have ever seen. He was the fopling of the *drama* rather than the age. I mean by this, that his own times rarely shewed us any thing so highly charged with the vanity of personal exhibition. He was, to be sure, the prince of pink heels, and the soul of empty eminence. As he tottered rather than walked down the stage, in all the protuberance of endless muslin and lace in his cravats and frills, he reminded you of the jutting motion of the pigeon. His action was suited to his figure. He took his snuff, or his bergamot, with a delight so beyond all grosser enjoyments, that he left you no doubt whatever of the superior happiness of a coxcomb.

“The modern fop is a creature of a different kind: he is pert and volatile, incessantly in action, and becoming risible by awkward gestures and mere grimace. He has no dignity to keep up; you may laugh not only at him but in his face. Besides, he is usually taken from low life, and is a caricature rather than a character.

“But Dodd was not confined to the *beau monde*: he could enter into the humours of a distant age, and exhibit the fatuity of the GULL, with a truth and richness, that left every rival at an immense distance. I need only to remind his spectators of his Sir Andrew Aguecheek, in the Twelfth Night, and relate a simple fact to which I was a witness. The late Mr. Edwin went into the pit of Drury-lane expressly to see Dodd, before he himself appeared in Sir Andrew. On his coming out he exclaimed to a friend, ‘This is indeed per-

fection! I cannot touch him in his own way; but I hope, at all events, to do something.' I saw Mr. Edwin in the character. He was in that, as in every thing, quite irresistible; but the smoothness, the native imbecility, of Dodd's Sir Andrew, were transcendent. Edwin could not entirely reach that paragon of folly, to whom a common expression is a problem; who cannot conceive the meaning of *accost*; speaks four or five languages word for word without book, and demands what is *pourquoi*. Has the back trick simply as strong as any man in Illyria, plays on the *viol de gambo*, and goes to church in a coranto. No, Sir Toby, these things were *not* hidden; they were the only lights that shone through Dodd's Sir Andrew, and the most sportive malice could not render him more ridiculous, than he came forth from the forming hands of nature.

"Mr. Bensley here offers himself to my recollection as the only perfect representative of another character in the same comedy; the smiling, yellow-stockinged, and cross-gartered Malvolio. All his peculiarities of deportment here aided his exhibition of the steward—the sliding zig-zag advance and retreat of his figure fixed the attention to his stockings and his garters. His constrained smile, his hollow laugh, his lordly assumption, and his ineffable contempt of all that opposed him in the way to greatness, were irresistibly diverting.

"In that amazing production of dramatic science, the Fox, Mr. Bensley gave to the fine fly, the parasite Mosca, what no other actor in my time could pretend to

give, and seemed in truth, like the character, to come back to us from a former age. He spoke Ben Jonson's language, as if he had never been accustomed to a lighter and less energetic diction; and with the Volpone of Palmer and the Corbaccio of Parsons, presented a feast to the visitors of Colman's theatre, which has seldom been equalled, and will, I believe, never be surpassed.

"In Pierre, Mr. Bensley distinguished himself greatly; and his Iago, if it yielded to any, yielded only to the profound skill of Henderson. His voice had something superhuman in its tone, and his cadence was lofty and imposing. If I had been suddenly asked what Bensley was most like, I should have said, a creature of our poet's fancy, Prospero. In that part he was in truth a mighty magician, and the awful accents that he poured out seemed of power to wake sleepers from their graves, and to control those who possessed an absolute mastery over the elements. There was a very delicate and nice discrimination in Bensley, when he addressed his daughter, and the spirit Ariel. They were not two young ladies of the theatre, to whom he announced his pleasure in one common tone of command. He lowered himself parentally to Miranda's innocence and inexperience: it was evidently by his art that he raised himself to the control of the spirit Ariel; with whom a kind of personal attachment seemed to mitigate the authority by which that gentlest of his kind was kept in a yet unwilling allegiance. Our own day has shown us an Ariel, who almost

almost realizes the delicate imagination of the poet.*

"From Prospero, who called spirits from their confines, it is but a step to the awful shade of Hamlet's father. No man, in my judgment, ever delivered his harrowing tale so terribly as Mr. Bensley.

" 'This was NO MORTAL business, nor no sound,
' That the EARTH ow'd.' "

Kemble's first appearance was thus described :

"On Mr. Kemble's first appearance before the spectators, the general exclamation was, 'How very like his sister!' And there was a very striking resemblance. His person seemed to be finely formed, and his manners princely; but on his brow hung the weight of some intolerable woe.' Apart from the expression called up by the situation of Hamlet, there struck me to be in him a peculiar and personal fitness for tragedy. What others assumed, seemed to be inherent in Kemble. 'Native, and to the manner born,' he looked an abstraction, if I may so say, of the characteristics of tragedy.

"The first great point of remark was, that his Hamlet was decidedly original. He had seen no great actor whom he could have copied. His stile was formed by his own taste or judgment, or rather grew out of the peculiar properties of his person and his intellectual habits. He was of a solemn and deliberate temperament; his walk was always slow, and his expression of countenance contemplative. His utterance rather tardy for the most part, but always finely articulate, and in common parlance

seemed to proceed rather from organization than voice.

"It was soon found that the critic by profession had to examine the performance of a most *acute* critic. To the general conception of the character I remember but one objection; that the deportment was *too scrupulously graceful*; but, besides that, Hamlet is represented by the poet as 'the glass of fashion and the mould of form.' I incline to think the critic's standard was too low, rather than Kemble's too high;—the manners were not too refined for such a person as Mr. Kemble's.

"There were points in the dialogue, in almost every scene, which called upon the critic, where the young actor indulged his own sense of the meaning; and these were to be referred to the text or context, in Shakspeare, and also the previous manner of Garrick's delivery, or the existing one of Henderson's. The enemies of Kemble, that is, the injudicious friends of other actors, called these points *NEW READINGS*; which became accordingly a term of reproach among the unthinking. The really judicious, without positively deciding, admitted the ingenuity and praised the diligence of the young artist. They freely confessed, that there might be endless varieties in the representation of such a character; justifiable, too, by very plausible reasonings; and congratulated themselves and the public upon a new and original actor, whose performances, at all events, would never disgust them by common-place, but would at all times tend to make Shakspeare better known, by the necessity for his being more studied; that the reference must be perpetual from the actor to the works; and in thus

* Miss Tree.

thus contributing to the fame of the poet, the performer might eventually establish his own."

As attached to this part of the subject, we shall subjoin the description of his dress, and Mr. Boaden's original and ingenious observations upon the stage habiliments of the ghost.

"We have for so many years been accustomed to see Hamlet dressed in the Vandyke costume, that it may be material to state, that Mr. Kemble played the part in a modern court dress of rich black velvet, with a star on the breast, the garter and pendant ribband of an order, mourning sword and buckles, with deep ruffles: the hair in powder; which, in the scenes of feigned distraction, flowed dishevelled in front and over the shoulders.

"As to the expression of the face, perhaps the powdered hair, from contrast, had a superior effect to the short curled wig at present worn. The eyes seemed to possess more brilliancy. With regard to costume, correctness in either case is out of the question, only that the Vandyke habit is preferable, as it removes a positive anachronism and inconsistency.

"The ghost of Hamlet's father appears in *armour*; a dress certainly suited to a warrior, but to one of other times. Now this was not at all incompatible with the dress after Vandyke, in whose time *armour* was undoubtedly worn, as he has shown in a great variety of portraits. But a completely *modern* suit upon young Hamlet, with his father in *armour*, throws the two characters into different and even remote periods, a confusion which it is absolutely necessary to avoid.

"The reason for Shakspeare's dressing the ghost in *armour* has never been assigned, or nothing beyond the *picturesque* effect derived from it.* Yet it has a very marked and striking propriety, when fully considered. The usual *regal* dress would have had nothing in it to alarm. The habit of interment would have been horrible, or loathsome, or ridiculous. Now his object seems to have been to excite the strongest attention, and yet not betray the real and ultimate cause of his appearance.

"It will be remembered that Fortinbras of Norway had dared the late king to single combat; and that he had forfeited, along with life, all the "lands which he stood seiz'd of" to the conqueror. Young Fortinbras, at the opening of this play, had, it seems, levied soldiers to recover the territories so lost by his father. The news had occasioned in Denmark much toilsome watch to the subject, and great martial preparations; the casting of ordnance at home, and the making large purchases abroad of the implements of war. The people might entertain a reasonable fear, that what their late hero had acquired, would be lost by the less valiant spirit of his brother. The appearance of the late king is conceived, therefore, to relate entirely to the approaching war—for he is observed to wear even the *very* *armour* he had on, when he combated the ambitious NORWAY.

"Well may it sort, that this portentous figure

'Comes armed through our watch, so like the king,

'That was, and is, the question of these wars.'

* See Mr. Stevens's note on the words *complete steel*.

"The dress, we thus see, was calculated to point solely to the existing, or probable circumstances of the country; and kept, even from suspicion, the nature of the disclosure that was intended to Hamlet alone.

"But whatever the sentinels might think of this appearance, no conception of foul play seems to have occurred to them; they referred every thing to the fearful events coming upon their countrymen. The spirit, however, resembled their late sovereign; it seemed to wish communication, but decidedly not to them; they therefore naturally think of making the affair known to his *son*, which leads to the interview between them, and the unfolding of that awful secret, which had never been anticipated."

Perhaps, after this, our readers would like to know something of Garrick's stage copy of Hamlet; we shall therefore add what our author says upon that strange and tasteless alteration.

"Having incidentally mentioned Mr. Garrick's strange alteration of the play of Hamlet, it may not here be improper to add some account of it. In my youth I remember to have seen it acted, and for many years afterwards I could not get the smallest information, whether any copy was preserved of this unlucky compliment to Voltaire. A strange story was in circulation formerly, that it had been buried with the great actor: this, however, it was said, was not upon the humane principle, that a man's faults should die with him, but as a sort of consecration of so critical a labour.

"But Mr. Kemble had in his library what I believe to have been

the very copy of the play, upon which Mr. Garrick's alterations were made. He probably received it as a curiosity from Mrs. Garrick, who, I remember, presented to him the cane with which Mr. Garrick walked abroad, and which, as an accession to his vast collection of reliques of that great actor, Mr. Kemble properly bestowed upon Charles Mathews.

"He cut out the voyage to England, and the execution of Rosencrantz and Guildenstern, 'who had made love to the employment, and marshalled his way to knavery.' He omitted the funeral of Ophelia, and all the wisdom of the prince, and the rude jocularities of the grave-diggers. Hamlet bursts in upon the king and his court, and Laertes reproaches him with his father's and his sister's deaths. The exasperation of both is at its height, when the king interposes; he had commanded Hamlet to depart for England, and declares that he will no longer bear this rebellious conduct, but that his wrath shall at length fall heavy upon the prince. 'First,' exclaims Hamlet, 'feel you mine;' and he instantly stabs him. The queen rushes out exploring the attendants to save her from her son. Laertes seeing treason and murder before him, attacks Hamlet to revenge his father, his sister, and his king. He wounds Hamlet mortally, and Horatio is on the point of making Laertes accompany him to the shades, when the prince commands him to desist, assuring him that it was the hand of Heaven which administered by Laertes 'that precious balm for all his wounds.'

We then learn that the miserable mother had dropt in a trance ere

she could reach her chamber-door, and Hamlet implores for her 'an hour of penitence ere madness end her.' He then joins the hands of Laertes and Horatio, and commands them to unite their virtues (as a coalition of ministers) 'to calm the troubled land.' The old complet, as to the bodies, concludes the play.

"All this is written in a mean and trashy common-place manner, and, in a word, sullied the page of Shakspeare, and disgraced the taste and judgment of Mr. Garrick."

Leaving our great tragedian firmly established in the metropolis, we shall now revert to the more miscellaneous part of the work; and amongst much interesting matter, we find the following account of poor Henderson's death and interment:—

"On the 25th of November, I am to record the death of Mr. Henderson, who, after a seeming recovery from a fever, died of some spasmodic action upon the brain, utterly unapprehended by his medical attendants. He had not completed the 39th year of his age, and yet had long been a perfect master in his art, the range of which he carried to an extent, that seems hopeless to succeeding actors. 'I will not,' said Mr. Kemble once to me, 'speak of Henderson's Falstaff; every body can say how rich and voluptuous it was: but I will say, that his Shylock was the greatest effort that I ever witnessed on the stage.' I remember it in its principal scenes, and I have no doubt whatever that it fully merited so high a praise; but I respectfully insinuate, that Macklin, in the trial scene, was superior to him and all

men. Yet it may be proper here to say, that in many of his characters, Henderson's superiority may be disputed; but that his performance of Falstaff is as much above all competition, as the character itself transcends all that was ever thought comic in man. The cause of this pre-eminence was purely mental—he *understood* it better in its diversity of powers—his imagination was congenial: the images seemed coined in the brain of the actor; they sparkled in his eye, before the tongue supplied them with language. I saw him act the character in the second part of Henry IV., where it is more metaphysical, and consequently less powerful. He could not supply the want of active dilemmas, such as exhilarate the Falstaff of the first part, but it was equally perfect in conception and execution. I have already described his Falstaff at Windsor, which completed this astonishing creation of the poet. I have borne with many invasions on this peculiar domain of Henderson. It has in truth been an ungracious task to most of his successors; they seem all to have doubted their right of possession; to have considered themselves tenants only upon sufferance; and thus it was with King, and Palmer, and Stephen Kemble, and Ryder, and a whole tedious chapter of fat knights, who have roared and chuckled, at the slightest possible expense of thought; and, laughing much themselves, in their turns, perhaps, 'set on some quantity of barren spectators to laugh too:—Peace to all such!' It was the strong sense of Henderson's excellence in Falstaff, that made me miserable whenever Mr. Kemble announced his intention

of assuming the character. He was not naturally a comedian, nor a man of wit. He might have given a fine reading of the text, but the soul of the knight would have been wanting. A Falstaff only endured out of respect for the actor's other merits, is, at any period of life, prejudicial to his fame. He could afford to leave the stage without aiming at the praise of universality, and I sincerely rejoice that he did so.

"Henderson had died in good circumstances, and it was determined to bury him in the Abbey. Every respect that could be paid to a good man and an excellent artist, was paid on this occasion; his remains were followed to the grave by his nearest friends; and his brother actors, from both theatres, saw the final honour bestowed, (perhaps the greatest he ever received) the placing him between Dr. Johnson and David Garrick. For many years I occasionally enjoyed the sad luxury of musing over his grave, and in my memory reviving the splendid triumphs of his genius. But though he was always presented to my fancy surrounded by a group of characters, the creation of Shakspeare; yet at no great distance were strongly seen the whole family of Shandy, and the mingled sorrows and enjoyments of the *Sentimental Journey*. I write, with suitable indignation, that now money must be paid for the privilege of approaching his grave, and the Commons of Great Britain doubt whether they have the power to drive the money-changers out of the temple!"

We shall now, by way of variety, give a couple of very entertaining anecdotes, strikingly characteristic

of two very different sorts of men, and exhibiting them off the stage in two as opposite situations: we mean the account of Palmer's conduct when summoned before the magistrates for acting the regular drama at the Royalty, and what happened to Kemble on his wedding-day.

"While this business was in discussion, the magistrates had summoned Mr. Palmer before them, with the intention of actually committing him, if he did not produce the authority on which he relied for resisting the patent rights of the western sovereigns. The parties met in an up-stairs room of the tavern, and Palmer's dexterity did not desert him. He assured them, that 'the papers were at his lodgings, but a street's length off; and if they would allow him, he would go himself for them, and be back in two minutes.' To this there was a ready assent on the part of the magistracy. Palmer treated the party with his usual bow of humility, turned up the whites of his eyes, and bid 'God Almighty bless them for their kindness!' He retired in haste, and shut the door after him; but as the key was outside of it, he very gently turned it in the lock, and, without the slightest noise in withdrawing it, put the key into his pocket. The party waited with growing impatience, and time had elapsed beyond all reasonable limit; the bell was rung, that the waiter who, in course, knew Mr. Palmer's lodgings, might tell him 'that the magistrates could not sit there much longer, and desired to know what detained him?' The waiter knocked at the door, and begged to be admitted. My learned friend Const, who was in the room, saw the business in a mi-

nute, and was, perhaps, not the only man at the table, who laughed heartily at this *stage-door* interruption. A neighbouring locksmith soon after released the party; but Mr. Palmer was to be caught before *he* could be locked up, and that danger, for the present, he had effectually averted.

"And such a man was Palmer, bursting, as it happened, into tears or laughter; ready for a supplication or a jest; to use the terms 'best friend,' or 'scoundrel,' as he stood on one side of a door or the other. Idle and yet energetic, specious and fallacious, a creature of the moment, adopting hurry and pathos as the means of carrying his point; combined with a personal address, for which I know no name but that of *proud humility*; and you granted what he asked less from the propriety, perhaps, of the request, than from the sense of slight compassion that so grand a figure should condescend to supplicate, and the personal complacency that was implied in having a favour to bestow upon him."

* * * * *

"On the 8th of December, Mr. Kemble was married to the amiable widow of Mr. Brereton; and never certainly was there an union formed with sounder judgment, as far as permanent happiness was likely to be the result of discretion in the choice. I speak with great tenderness and respect of a lady, from whom I have received so much kindness, when I transiently allude to the nonsense uttered at the time. There were not wanting persons who, as they imagined, found this match inadequate to Mr. Kemble's claims, however it equalled his wishes. There can

be little doubt that, if he had much regarded either birth or fortune, both would have eagerly courted his acceptance: but he knew himself, and his profession, too well, to think that a wife for him, should be of a disproportionate or different rank from his own. As to remain an actor was his settled determination, Mr. Kemble knew, that without a perfect familiarity with theatrical habits, a thousand occasions must arise, in which the wife, taken from another sphere, would feel herself unhappy, from causes quite unintentional, and unavoidable. He, therefore, looked about him for quiet manners, steady principle, and gentle temper; and he found these as they had stood the trial of some distressing circumstances attendant upon a former union. He proposed himself, therefore, to Mrs. Brereton; and I, upon full knowledge, say, it was fortunate for him that he was accepted. But I do not mean to anticipate here my view of Mr. Kemble in domestic life.

"After they were married in the morning, Mrs. Bannister, who accompanied the bride to church, asked where they intended to eat their wedding dinner? My friend had made no particular arrangement on this important occasion, and said, he did not know—at home he supposed. Mrs. Bannister, upon this information, that they were really disengaged, said if they would honour Mr. Bannister and herself by partaking of their family dinner, in Frith-street, they should feel flattered by such a mark of their regard. Mr. Kemble, who really esteemed Bannister, cheerfully assented. An early dinner was prepared; for

both Bannister and Mrs. Kemble acted in the West Indian that evening. Kemble arrived rather tardily; they began even to fear that he would not come; and some surprise, perhaps alarm, crept among the little circle above stairs; when, at last, he was seen very deliberately approaching the door, and good-humour revived upon his entrance. A Miss Guy, a friend of Mrs. Bannister's, dined with them. Soon after the cloth was removed, Mrs. Kemble and Mr. Bannister went off to the theatre, to act the parts of Belcour and Louisa Dudley, in the West Indian; and Gradus and Miss Doiley, in *Who's the Dupe?* The play-bills of the day in course did not anticipate, but stiled her Mrs. Brereton. The day following, she was put as Mrs. Kemble, for Lady Anne, in *Richard III.*; but it was Smith, and not her own husband, who, in the part of that monster, exclaimed to her so un gallantly,

“ With all my heart—I hate you.”

“ The remainder of the wedding-day is soon told. Kemble sat amusing himself till the evening in the drawing-room, occasionally conversing, but commonly playing with the children in their own way; and when it grew late, he ordered a coach to take him to the play-house, from which he brought home his wife, to the house in Caroline-street, Bedford-square, which had been prepared for her reception.

“ A story of a very different nature, as to this day, having been circulated at one time, and even printed since his death, I obtained the preceding from the accurate recollection of my old

friend, Bannister; and as it is a true, so, perhaps, it may be thought no unamusing sketch of the manners of a man unpretending and plain at most times, and detesting all unnecessary ostentation and importance at any.”

3. — *Narrative of a Journey into Khorasan, in the years 1821 and 22, including some account of the Countries to the North-East of Persia, &c. &c. By James B. Frazer, Author of a “ Tour in the Hamala Mountains.”*

“ An incident,” Mr. F. tells us, “ occurred during our stay at this place (Ispahan), which proves how lightly these people hold the crime of shedding human blood, compared with the gratification of their ruling passion. One of the servants, an insolent and self-sufficient little person, had wandered to Julfa, probably for the purpose of getting drunk on Armenian brandy; and staggering homewards he met some young girls coming out of a public bath, and most wantonly and unprovokedly he struck his dagger into the body of one of them, who fell apparently dead. The assassin was instantly seized, and dragged away to have summary justice inflicted upon him. In the first place, however, they carried him before the sudr, who learning that he was attached to the British mission, sent him to our quarters, to be held in custody until it should be known whether the wounded person should live or die; adding, that it would be an indelible shame on him, should the servant of his guest be put to death under his roof. I declined receiving charge, observing

observing that we would not in any way interfere with the course of justice; and he was remanded to prison. The question was decided the next day by the death of the poor girl, who proved to be the daughter of a seyed, whose mother only was alive, and she, along with the other relatives, demanded the blood of the murderer. It was, however, soon intimated that a sum of money would be received in exchange, and 200 tomauns were, I think, demanded as the price of blood. I was quite aware that the Persians concerned, knowing the usual inconsiderate prodigality of Europeans, would use every means in their power to raise the price of our servant's life, by working on our feelings. I knew, however, that the culprit, independent of the act he had committed, was a bad character, and therefore repeated that I did not intend to interfere with the course of justice, and that they might deal with him according as appeared right to them. In fact, the atrocity of the act was so disgusting, that I should have deemed any active interference in his favour a positive outrage against humanity. The sudr, however, took some trouble in the matter, out of compliment to the mission, and offered himself to advance twenty tomauns in part of his ransom, whatever that might be; and at last, as I saw that my impartiality might be misunderstood, for the honour of the British name, though utterly against

my own conscience, I agreed to give twenty tomauns more, making forty in all, provided they brought a properly attested paper to secure him after I should have quitted the place; and stipulating that he should have a very severe beating as some punishment for his atrocious conduct. This was agreed to; the relations of the deceased, though by no means in want, were quite contented to take what they could get, rather than the worthless blood of their intended victim."

Persia is, according to Mr. Fraser, in a rapid decline, and the king (whom he represents as a weak, avaricious monarch) decidedly averse that the nakedness of the land should be seen by foreign travellers.

"At the present time," he continues, "there is no encouragement for devotion; on the contrary, any remarkable energy, particularly if accompanied with success, inevitably begets suspicion and jealousy, which ends in disgrace and ruin. No chief now ventures to be a conqueror, even if in his power; it would be the signal of his undoing, perhaps of his death. A chief near Astrabad, in talking of his expeditions past, and proposed, against the Toorkomans, declared this to be his own feeling, in very plain terms: 'To what end,' said he, 'should I destroy these people? what thanks should I receive from Futeh Allee Shah? to have my eyes put out like — !!!'."

The wild region of Khorasan is

* "I have unfortunately lost the memorandum I made of this conversation, and therefore relate the anecdote from memory; which, however, has not served me to retain the names; and I do not choose to hazard committing an error by inserting them. The substance is, however, just what I heard, and the chief who lost his eyes was a well-known commander of the present king, who was too successful, and therefore considered dangerous."

inhabited by various tribes, chiefly the Tuckeh, the Gocklan, and the Yamoot.

"The Toorkoman women are not shut up, or concealed like those of most Mahometan countries, nor do they even wear veils; the only thing resembling them is a silken or cotton curtain which is worn tied round the face, so as to conceal all of it below the nose, and which falls down upon their breasts. They do not rise and quit the tent upon the entrance of a stranger, but continue occupied, unconcerned with whatever work they were previously engaged upon. They are, in truth, rather familiar with strangers; and have even the reputation of being well disposed to regard them with peculiar favour; it is said, indeed, that they not unfrequently assume the semblance of allurements, with the treacherous intention of seducing the incautious stranger into improper liberties; upon which the alarm is given, the men rush in, and convicting their unhappy guest of a breach of the laws of hospitality, they doom him without further ceremony to death, or captivity, making a prize of all he may have possessed.

"The head dress of these women is singular enough: most of them wear a lofty cap, with a broad crown resembling that sort of soldier's cap called a shako; this is stuck upon the back of the head, and over it is thrown a silk handkerchief of a very brilliant colour, which covers the top, and falls down on each side like a veil thrown back. The front of this is covered with ornaments of silver or gold, in various shapes; most frequently gold coins, mohrs, or tomauns, strung in rows, with

silver bells or buttons, and chains depending from them; hearts and other fanciful forms with stones set in them; the whole gives rather the idea of gorgeous trappings for a horse, than ornaments for a female. The frames of these monstrous caps are made of light chips of wood, or split reeds, covered with cloth; and when they do not wear these, they wrap a cloth around their heads in the same form; and carelessly throw another, like a veil, over it; the veil or curtain above spoken of, covers the mouth, descending to the breast; ear-rings are worn in the ears, and their long hair is divided, and plaited into four parts, disposed two on each side; one of which falls down behind the shoulder and one before, and both are strung with a profusion of gold ornaments, agates, cornelians, and other stones, according to the means and quality of the wearer. . . .

"It is the custom among the Toorkomans for a man to purchase his wife, a certain number of camels, sheep, or cattle, constituting the price. The women are valuable as servants, not only attending to the household matters, but manufacturing such articles as the family sells, the men paying little attention to any thing beyond the larger cattle and their plundering expeditions. It is somewhat singular that, in these bargains, a widow who has been some years married, bears a far higher value than a young girl: the latter will bring from two to four hundred rupees; the former as many thousands. Five camels is a common price for a girl; from fifty to a hundred are often given for a woman who has been married,

ried, and is still in the prime of life. The reason assigned for this curious choice is, that the former is not supposed to be as yet by any means acquainted with the management of a family, or with the occupations and manufactures that render a woman-valuable to her husband; and so great may be the difference of degree in this species of knowledge, that a woman known to excel in it will command the large price above stated.

"It is, however, rendered highly probable from this high price, that polygamy must be less common among the Toorkoman tribes than in other Mahometan countries. Whether from this cause or not, I cannot say; but it is certain that their women are by far more prolific than others, even as I was assured, in the proportion of two to one. I can myself assert, that out of every camp we passed through, such crowds of children issued, that one of the servants, in amazement, cried out that it was 'like an *ant-hill*.' They were stout, healthy, hardy little creatures, almost quite naked, and it was admirable to see the courage and unconcern with which infants, that seemed scarcely able to walk, would splash and plunge through streams that would have made an European mother scream. Every thing about them told of the rough school in which they were receiving their education. My host, Khallee Khah, though by no means much advanced in life, had ten fine sons, born of his *two* wives.

"When one of these Toorkomans dies, they wash the body on the spot where he breathed his last, or as near it as possible;

and on that spot they raise a little mound, by digging a circular trench, two or three feet wide, throwing the earth up in the centre; and in this mound they plant a tree, or pole, to mark the place. The plain is studded, in some places pretty thickly, with these traces of mortality. The body is carried for interment further into the plain. There are numerous burying-grounds to be seen all over this country, even in the plains, near the rivers, — sad proofs of former population and prosperity, now totally disappeared."

Near Bostam, "annexed to the mosque there is a minaret, called the minar of Bayazeed, because it is asserted that if any one standing on the balcony at its top, commands it to shake in the name of Sheikh Bayazeed, the minar will immediately shake. The solution of which miracle is simply this; the minar, like the mosque, being constructed of excellent brick-work, but very slender, and having by some accident a slight inclination to one side, when it receives at its upper extremity the additional weight of a man, will vibrate very perceptibly if he puts himself into violent motion, and whether he calls on the name of Bayazeed or not. This vibratory movement is by no means indicative of decay; the building is sound and may still stand, as it has stood, for ages. It is between forty and fifty feet in height.

"Close to the mosque, another mausoleum has been erected over the remains of one Causim, the son of Imaum Jaffer Sauduck.

"The memory of Imaumzadeh Causim is held in considerable veneration in these parts, and his mausoleum is a place of pilgrimage resorted

resorted to by the neighbouring inhabitants; but I could learn little respecting him beyond the particulars of his death, which prove that he was contemporary with Bayazeed. The catastrophe of these two saints is thus related: they were travelling together, and had taken up their abode for the night at a place half-way between Bostam and Sharood. While taking their evening repast, Caussim observed an *ant* upon the tablecloth, which (as he remarked to Bayazeed) must have been brought against its will from their last stage; a cruel and tyrannical act; and he therefore desired him forthwith to carry back the insect to the place whence it had been brought. Bayazeed obeyed his pious friend; and during the time he was absent, night having come on, the inhabitants of Sharood and of Bostam saw upon the road between the places a great light, which was found upon enquiry to proceed from the person of the Imaumzadeh, in sign of heaven's approbation of the humane sentiments he had felt towards the forlorn insect. The affair, however, had an unhappy result; for the men of both places being attracted to the spot where this phenomenon was to be seen, fell to fighting for the person of the Imaumzadeh, and seven of the Sharoodees were killed. Upon which one of the opposite party, shocked at the slaughter, and desirous of effectually putting an end to it, caught up a spade, or some such instrument, and knocked out the saint's brains with it. This settled the dispute, and both parties having come to their senses, took up their dead and marched off. The Shahroodees buried their

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fellow villagers on the spot where they fell, which is marked by a small hillock, still called 'Heft-tun,' or the seven bodies. The Bostamees took up the body of the dead Imaumzadeh, and carrying it to their own town, interred it there.

"Meantime Bayazeed returned, and learning what had happened, reproached the men of Bostam so violently with their crime, that they lost patience, and swore that he should share the same fate if he did not hold his peace; but Bayazeed, instead of being silenced, dared them to the deed, saying, that now his friend was murdered, *he* had no wish to survive him: they took him at his word, and, falling upon him, stoned him to death, and heaped over him for a tomb the very stones with which they had beaten out his brains; and very sufficient they were for the purpose, certainly, large, round, and heavy; but whether they performed this office for the saint or not, they form a mound of fourteen or fifteen feet square, just outside the entrance to Imaumzadeh Caussim's tomb.

"Bayazeed was a derwish, or sooffee, of great celebrity in these parts; the time he flourished in may be inferred from his having been contemporary with the son of the sixth Imaum, but I have not any certain information regarding the exact period of either his birth or death. As a freethinker he was held in abhorrence by most rigid Mussoolmans; but he had a very numerous attendance of devoted disciples, and many miracles are attributed to him. Among the Toorkomans, with whom he lived a great deal, he was regarded as a saint of great power, and his in-

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fluence over these rude tribes was very extensive. Among other extravagant stories that are related of this person, it is said that in his fits of intoxication (which were frequent from the use of wine and bhang, in both of which he freely indulged), as well as in the extatic dreams to which these enthusiasts are subject, he was used to speak of himself as the divinity; at which blasphemy, when his disciples reported it to him after his recovery, he was or pretended to be so shocked, that he desired they would punish, and try to awaken, or even put him to death, in case of the recurrence of so heinous a crime. This, however, his followers long refused to do, but at last they yielded to his solemn injunctions, and when next he became rapt, and assumed the name and attributes of the Almighty, they drew the knives, and stabbed their master in various parts of the body, until he fell down senseless; but, on recovering from his fit, what was their astonishment to find, that the wound which each respectively had inflicted was transferred to his own body from that of the saint."

The mingled reverence paid to saints, with the peril to which they are exposed, appears to continue to the present day, for we read, a little further on, near Muzzenoon—

"Not far from this deserted town there is a collection of ruins, among which are two monuments of imaumzadehs; one of which, in tolerable repair, and with some pretension to magnificence, covers, as it is said, the bones of Seyd Ismael, considered by the Ismaelites, or Hussunees, as the last legitimate imaum, and founder of that sect of Mahometans. I am,

however, inclined to doubt the truth of this, as it is difficult to believe that a sect so devoted to their spiritual superiors would permit the acknowledged tomb of their saint to remain so much neglected as this has been; every one is acquainted with the devotion of his followers to Hussun Soubah, and his successors; and even at this day the sheikh or head of the sect is most blindly revered by those who yet remain, though their zeal has lost the deep and terrific character which it once bore. It is but lately that one of these, by name Shah Khuleel Oollah, resided at Yezd, during the time that Mahomed Zeman Khan, son of the present prime minister, was governor there. He was a person of high respectability, and great influence, keeping an hundred gholaums of his own in pay; but he was put to death by the inhabitants of Yezd, in a riot to which they were instigated by tyrannical acts of their ruler. Shah Khuleel Oollah gave his assistance to the governor, and the Yezdees enraged at this, broke into his house and murdered him. The Bhoras, from India, were particularly devoted to their saint; and many that day sacrificed themselves in his cause. Among others, the resistance opposed to the murderers by an Indian pehlewan of that sect, is particularly mentioned; he placed himself before the chamber door, to which the insurgents had penetrated, and kept it shut with his powerful arms, until he fell covered with wounds.

"Meerza Abdool Rezak, who was acquainted with this man during his stay in Yezd, mentioned, as a curious proof of the reverence in which he was held, that one day,

day, while he was paying him a visit, the saint was employed during their conversation in paring the nails of his hands and feet, which the meerza picked up from the carpet to throw away; when an Indian of the sect who was in the chamber, seated at a respectful distance, prevented him from doing so by a significant gesture; when he left the room, the Indian followed him, and most earnestly begged him for the nail parings as a most precious possession, which the meerza, inwardly laughing at the man's superstition, after a while gave him. In like manner the shavings of his head, the water he washed in, and such offals, were preserved as valuable relics by his followers; and instead of paying wages to his servants, he would frequently give them one of his old robes, which cutting into pieces they would sell at a high price to the pilgrims who come to visit the saint. These devotees are so eager to pour in presents upon their ghostly chief, that he had accumulated great riches. He was succeeded in his religious capacity by one of his sons, who meets with a similar respect from the sect."

Education is at a low ebb in Mushed, as, indeed, it is all over Persia. Mr. Frazer says:

"The poorer moollahs, who cannot support themselves, have sometimes a small allowance from the extra revenues of the medressa, when the moolwullee, or director, can prevail upon himself to part with so much for the purpose. Pecuniary remuneration for tuition is seldom expected or received; but when a moollah has educated the children of a rich or noble family, a provision of some de-

scription is generally made for him.

"The objects chiefly attended to in the Peraian colleges are, first, to afford instruction on all points connected with the Mahometan faith, the study of the Koran, and all the standard theological works that relate to the doctrine of the Sheahs; then the study of metaphysics and of logic, both of which are taught in a very degraded style; the first consisting, as far as I could learn, of little more than a series of argumentative disquisitions, upon wild and unprofitable paradoxes; and the second, of an ingenious method of playing upon words, the object being not so much to arrive at truth, as to display quickness of mind and readiness of repartee in the formation and discussion of plausible hypotheses. Mathematics are taught upon better principles, for they are acquainted with the works of Euclid; but they are scarcely ever applied to any useful purpose.

"Astronomy is made an object of study; but their views are so contracted, and their theories, founded upon the Ptolemean system, but eked out with strange additions of their own, are so wild and fanciful, that it can be turned to no good; indeed, it is chiefly made subservient to their favourite science of astrology, the value and importance of which is acknowledged by every Persian. No one will undertake the most trivial affair in life, far less those of greater importance, without consulting a professor of this science for a lucky hour or day; and thus, when a moollah becomes celebrated as an astrologer, he looks upon his fortune as secure.

"The profits of science chiefly rest with those who successfully study divinity, astrology, and physic. The latter consists in practising the lowest degree of empiricism, with a knowledge of the qualities and effects of a few simples, exercised with a sufficient degree of grave assurance; and a few lucky cures, most probably the work of nature in spite of the physician, serve to establish his reputation. The medical profession, however, is but ill paid in Persia; those of divinity and astrology, which are very often combined, thrive the best; and when a man has obtained a reputation for sanctity and orthodoxy, he soon gains followers. It appears, that the priests collect around them a flock, numerous in proportion to their estimation, among whom they perform duties nearly analogous to those of a parish priest in Europe; but they have no fixed salary, and live upon the voluntary contributions which they receive, and which often are sufficiently abundant."

At an interview with the prince under whom this province is placed, our countryman discovered still more of their want of useful knowledge:

"A seat," he tells us, "was pointed out for me above the middle of the room, just below the moonujoom bashee, (or chief astrologer,) Moollah Abdool Wahab, and another person, the head, I think, of the law, the only persons in presence."

"The prince, seated on his little musnud, in the upper corner of the window, was plainly dressed in black, his person rather full, possessing a good deal of dignity; his features were exactly those of

his family,—a high straight nose, with fine dark eyes, arched eyebrows, a fine open forehead, and a full black beard. He would have made a still better appearance had he been contented with more simplicity, but these princes fancy that a constrained theatrical look, and a very loud voice, are essential to dignity. Accordingly, he strained a voice naturally rather sweet, to bid me the usual welcome, in hoarse and rough tones, and puffed out his chest, like a proud turkey-cock, to appear majestic as he spoke. He asked me, 'if I had been so fortunate as to have reached the dust of the feet of the king of kings?' To which I replied, that 'when *his slave* was at Tehran, the *father of the world* was a mourner;' and this prevented any further queries that might have been inconvenient."

"After the usual questions, touching whence I had come, whither I was going, and what my business might be, he entered upon the eternal subject of astrology, astronomy, &c., and requested to see my astrolabe; but, as his dignity forbade his moving, he directed me to show its use to the moonujoom bashee, in the sun. When he was informed that its only use was to take the altitude of the sun and other heavenly bodies, he expressed rather a contemptuous opinion of its powers; but he was very desirous to know whether the telescope did or did not show the stars at noon-day; or if there was not a description of glass that was calculated for that purpose. When I informed him that it was only intended for showing the stars *by night*, he observed that he had plenty himself which could do that. Then came

another *baiting* on the subject of astronomy, the prince taking the lead, and questions innumerable poured in. The sky, what did it consist of?—The earth, of what and how was it formed?—The regions of water, of air, of fire, by which, according to their theory, the earth is surrounded, what did we think of them?—Does the earth move round the sun, or the sun round the earth?—When to the last I replied, that our theory supported the former opinion, they proposed their objections, which, indeed, were of a very unphilosophical description: for instance, they enquired if it be true that the earth moves round the sun, how does it happen that so great a degree of velocity as that would imply does not cause every thing that is slightly attached to its surface to fly off, or at least to become displaced?—or why does it happen that two stones, thrown from any given point, the one towards the east, the other towards the west, fall each at its relative distance from that point, as if it were at rest?—These questions involved me in a painful attempt at explaining, as far as I could, the nature of gravitation, and those laws which regulate the motions of bodies upon the earth's surface. This constant recurrence to one and the same succession of topics was very irksome to me, and the want of requisite acquaintance with the scientific terms of their language perplexed me sorely. There could be no hope of producing any conviction of the reasonable nature of the European theories in the minds of those who heard me, even had I possessed a very superior degree of eloquence and science. What was

to be expected from men who had grown old in reasoning on and believing such childish speculations as these:—that the sky is formed of a substance which they denominate 'the origin of matter,' which encompasses the earth like a hollow globe; that the stars are either portions of light from the throne of God, shining through holes like *nailholes* in this primitive substance, or glittering patches *nailed* to it as to a ceiling, or they may be glimpses of the region of fire seen through it? In fact, I never met with any one who could give a consistent explanation even of their own theory, or who could describe in what manner the seven regions of which they speak are supposed by them to encompass the earth; what positions they occupy with reference to this shell of primitive matter, or how they revolve (for it is said they *do* revolve around the earth.) Nor, although I have repeatedly and patiently pressed the enquiry upon their most celebrated astronomers, could I ever get one of them to explain to me how the sun was situated, with reference to these different regions, or shells (which some one compared to the peelings of an onion,) how his light was transmitted through them, or by what means the vicissitudes of night and day were produced; so low is the condition even of their most venerated science in Persia."

One of the moollahs maintained a still more singular hypothesis:

"That the earth's figure is oval, having one end longer and smaller than the other, like that of some eggs; the long end being that on which America is situated: and on hearing that I had been in America, he enquired with great earnestness

earnestness whether the nights there were not *lighter* than in the old world, from receiving obliquely a greater portion of the sun's rays. The observation evinced more reflection than is common here ; but I could not make out from whence he deduced his theory. Like most of his countrymen, the moollah was a professed believer in the science of magic ; and to convert me from the scepticism I betrayed on this point he related several instances within his own knowledge in which the phenomena, as he conceived, could not be explained in any other way than by attributing them to the black art. These instances being rather tedious than either interesting or convincing, I omit them, but the whole company clamorously asserted their conviction of the fact ; and each insisted that he had known individuals thus highly gifted, and especially possessed of the power to change the external appearance of animals ; so as to make a man seem a dog or a monkey, or transform a horse into the shape of a man ; nay, some of those present gravely assured us that they had witnessed the transformation. It was added, however, that such feats had nothing in common with the abominable and sinful art of magic, but were merely deceptions, produced by the influence of certain drugs and simples ; in short, by what is commonly termed *natural* magic. One man assured us that he had himself seen a person thrown into the air, who came down torn to pieces, the dismembered limbs re-joined after they had reached the ground ; a spit thrust through the ears, eyes, and head of another, without his sustaining any real in-

jury ; the head of a third cut clean off, and reuniting itself to the body after a-while, as if nothing had happened ; hundreds of fathoms of rope taken from the body of a fourth ; and a variety of other and similar tricks which savoured more of the juggler than of the magician. Another person informed us that he had seen a man enter the body of a camel at the tail, and come out at its mouth ; some of the company denied the possibility of this, and I for one could not disguise my incredulity ; the ameerzadeh, however, told us, that if we had a mind to prove the truth of this last assertion it might easily be done ; for that one of the attendants had informed him, that there was at this time a man in Mushed who could perform the feat in question ; he therefore invited all those who chose to be convinced, to meet at his house on the morrow, for the purpose of witnessing it.

" The moollah invited me to dine with him : I believe I owed this invitation entirely to his wish to see my large telescope, and to view the stars through it, rather than to any desire for its master's company. Our meal was a most frugal one, and the pride and illiberal prejudices of the moollah might be seen in the way he treated me. My portion was served on a separate tray, that none of the company might eat with me from the same dish ; they were all too jealous of their sanctity to eat with an European, in public at least ; yet there was not one of them who would not have licked the dust from off my feet in private, to obtain from me the slightest benefit.

" March 9th. We assembled

at the ameerzadeh's to view the exhibition which had been promised us the night before. A camel was ready prepared, and, at the expense of knocking down half the wall, was introduced into the inner court. The man was all ready: the company assembled, and all was expectation. The delay, however, still continuing, the cause was enquired into, and we were then informed that the operator was ready to perform his part, but that a particular drug necessary to the success of a charm was wanting, and had been vainly sought for in Mushed; thus, as in most similar cases, the matter ended in smoke.

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 "Persians, (says our author elsewhere,) when they are addicted to wine, (and the instances are far from unfrequent,) preserve no restraint, and show very little anxiety to conceal their frailty, unless when they are persons following grave occupations. Indeed their maxim is, that there is as much sin in a glass as in a flaggon; and that if they incur the penalty, they will not forego the pleasure; which to them consists, not in the gradual exhilaration produced by wine and conversation among companions who meet to make merry, but in the feelings of intoxication itself; and therefore a Persian prefers brandy, and deep potations, because these soonest enable him to attain that felicity."

In two places, Mr. Frazer mentions the Persian ram, which from his description, we should think well worth importing into Europe. Near Nishapore, he says "the mountains in this vicinity are frequented by the wild sheep: while

I was at the village, a ram of this description was killed by one of their hunters, and brought to me as a present, in hopes of a handsome return. It was a noble animal, just what it might be conceived the finest sort of domestic ram would be in a state of nature, bold, portly, and very strong, thick like a lion about the neck and shoulders, and small in the loins; covered with short reddish hair that curled closely about the neck and fore-quarters, and bearing an immense pair of crooked and twisted horns; its flesh, of which we had a part, was remarkably well-flavoured."

At Boojnoord, he also states: "I here saw another of those noble animals, the wild sheep of the mountains; it was a male with fine horns; its hair, however, differed somewhat from that which I had seen at the mines near Nishapore, being exactly similar to that of the burru of the Himalah mountains; insomuch, that I felt disposed to believe, that if they are not exactly the same animal, there is a very near approximation in the species of the latter to the sheep of the mountains of Khorasan."

In this part of the travels, that is, after leaving Mushed, and getting among the wilder Koords, we have the following remarkable particulars:

"During a short space of clear weather, the horsemen in advance observed a parcel of wild hogs feeding in a marshy hollow upon our left; and half a dozen of them immediately spurring off towards them succeeded in cutting off their retreat and driving them up the slope towards us: they selected one larger than the rest, in particular,

ticular, and a grand chase commenced, every one who was mounted on an unloaded beast setting off full tilt, pricking it with their spears, and cutting at it with their swords, whilst the hog trotted sulkily on, seeking to join his companion, but churning with his tusks, and now and then attempting to rip with them, such as ventured to approach him too near. But neither spears nor swords made much impression upon his well-defended hide, and he seemed in a fair way to escape; as he passed near me, I could not refrain from joining in the cry, and drawing a double-barrelled pistol, I rode up alongside of, and fired both at him; one of the balls missed him, the other took place; but although enfeebled by loss of blood, he still kept moving towards his morass, when an old man upon a powerful grey Toorkoman horse rode up, and wheeling rapidly round, gave his steed an opportunity which it seemed fully to understand, of launching out its heels at the hog: they struck it on one side of the head, and tumbled it over, dead upon the spot. It is a common thing for these people, and still more so for the Toorkomans, to teach their horses thus to kick at, and bite their adversaries, by these means rendering them powerful auxiliaries in the day of battle.

"When the hog was dead, one of the men dismounting drew his sword, and made two or three cuts at his side, but he could not divide the hair, far less penetrate the skin; some idea may be formed of the toughness of this animal's hide, from its resisting completely a sword so sharp as those used by the Persians, wielded by

a very powerful man. I asked the people, why they took so much pains, and blew their horses on a long journey, for the sake of putting to death an animal, which, after all, they could not eat. 'Is he not an enemy?' replied they, and must we not always endeavour to put our enemies to death, when we meet them?' I had, however, strong suspicions, that they had their views upon its flesh, and that on their return, when no stranger should be present, the tempting though unlawful morsel would not remain untasted."

The scenery among the Gocklan mountains is amazingly fine.

"As we descended from the more elevated tracts, the foliage became greener, the trees, which hitherto had been brown and bare were now bursting into bud and blossom; and the scene from being one of savage desertness, became beautiful and lovely. It was a striking change in a single night; it seemed as if we had reached another world, blessed with a happier climate. Spring here claimed and enjoyed her full sway; the wood in many places lofty and magnificent, consisted of oak, beech, elm, alder; with thickets of wild cherry, and thorns, which were covered with a sheet of white and maiden-blush blossoms; large luxuriant vines climbed up almost every tree, hanging in wild festoons from one to another; flowers of various kinds, primroses, violets, lilies, hyacinths, and others no less lovely though unknown, covered the ground in the richest profusion, and mingled with the soft undergrowth of green herbage. The wind, which, though the sun shone bright, still roared above, could not penetrate the

the thicket below, so that the air was calm and delightful. Every step we advanced increased the charms of the landscape; all that was savage became confined to the summits of the mountains, which might still occasionally be seen overhanging us, rocky, bare, or thinly sprinkled with leafless trees; lower down their sides, wood increased in abundance, but was plentifully interspersed with stripes of green, where the old grass had been burnt to hasten the young growth; so that the tints were beautifully varied. But it was only at their feet and on the swelling ground, and sloping banks, which now occupied the bottom of the glen, that the foliage shot forth in all the luxuriance of spring; tender and bright in general, it was here and there varied by the darker shade of a tree more advanced, or the soft but pure white of the wild cherry blossom; and the forests, groves, clumps, copses, and belts of lovely trees, intermingled with glades and natural meadows of the richest emerald, clothed and diversified the landscape in a manner which art would vainly seek to rival.

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"At four o'clock we reached the first Muhuleh or encampment of the Gocklah Tookomans, and saw their numerous flocks and herds, grazing on all the hills and meadows around. Their houses at first sight appeared to be formed of reeds covered with black

numuds, and they were ranged so as to form a street, through which our road led us, so that we had full opportunity to gratify our curiosity: but I should in vain attempt to describe these places, or their inhabitants; the perfect novelty of feature and costume, the wild uncouthness of the figures both of male and female, that rushed forth to salute us, mingled with a variety of animals hardly more wild than they; the multitudes of children that ran screaming from every tent.

"The khan received us with little ceremony; it is the thing of all others of which the Toorkomans have least, and after a short conversation in the open air, he showed us to the tent, or house in which guests were received and lodged, where we seated ourselves, along with a plentiful company who had flocked together to gratify their curiosity, by staring at the strangers.

"Soon after we arrived, dinner was brought, and the khan's eldest son came to eat it with us; it was a coarse and simple meal enough, both in manner and in substance; the cloth spread before us was of coarse woollen, which bore the marks of having seen mighty service*: on this a cake of coarse bread, an inch and a half thick, was placed before each person, and a mess of boiled rice, with a small quantity of meat in the fashion of a pillau, but far, far from approaching that respectable

* Many of the eastern nations, particularly the Arabs, the wandering tribes of Persia, and even the stationary population of that country, have a strong superstitious aversion to washing the cloth which is spread before them (like a table-cloth) at meals; it is reckoned unlucky, and, as many fragments of every meal are wrapt up in it, when the dishes are removed, not to speak of the stains occasioned by accidents, some idea may be formed of the greasy, filthy condition, to which such a cloth in a hospitable house in time attains."

dish either in quality or flavour, was set in the middle; we all fell upon this most greedily; we, ravenous from long fasting, and little caring with what our cravings might be satisfied, the others, little accustomed to better fare, esteeming it a sort of feast. Our drink was butter-milk and water, seasoned with a little salt."

After dinner the khan paid the travellers an unceremonious visit; and the narrative proceeds,

"A while passed in conversation, chiefly in the Toorkee language, or that of Koordistan (which is a mixture of Koordish, Toorkee, and Persian,) of which I could understand but very little, and then the khan asking me if I should like to hear some music, two men were introduced, each carrying a musical instrument; one of them resembled what I have seen in India called a *bean*, and consisted of two hemispheres of gourd, or hollow wood covered with skin, and united by a bar of wood, along which a string passed from one end to the other, the gourds acting as sounding boards; the performer upon this, who also sung, used it like a tambourine to beat time. The other was a stringed instrument of the kind called *tarr*, upon which the performer thrummed not disagreeably.

"They sung several airs, which consisted of but a few words set to simple notes, and the measure was always closed by a single line or chorus that died away in a very sweet and singular cadence, infinitely more agreeable than any music I ever heard in Persia, for the singer did not strain his voice in the way usual in that country, but taught it most curiously to

follow the inflections of the *tarr*, imitating the sound and undulations of the wire, in a manner resembling the low warblings of an *Æolian* harp; and he continued this for an almost incredible time, without drawing breath. If, however, he did not roar like the Persians, he compensated for it in some sort, by making the most violent contortions of body, throwing himself into attitudes the most extravagant, shaking his head most violently, and rolling about upon his seat, until his sides nearly touched the ground. These movements appeared to proceed from a degree of ecstasy inspired by the music, and which affected every one in the assembly more or less, for at every close some or other of them expressed their delight in a very audible and even boisterous manner; but I could obtain no satisfactory explanation of the songs which excited this emotion.

"This concert continued until past twelve at night, when observing no symptoms of any intention to move, I hinted, through the medium of a Persian who was near me, that travellers who had journeyed so far, might be supposed to desire repose; upon this the music was dismissed, but no one else appeared inclined to leave us, curiosity was insatiable, and the company continued still to gaze, make their remarks, and discuss their opinions, in the most audible manner before our faces. When after a tedious while, the greater part of the assembly had withdrawn, I found that so far from being the only guests, and having the tent to ourselves, it was intended that we should share it with five or six others, and among them a *Yamoot*, who having been

taken prisoner in an attempt at stealing from the horde, was detained, ironed and bound, until his tribe should decide his fate, by either sending an adequate ransom for his release, or by refusing it, assent to his death. This was no agreeable addition to our party for the night; but as there was no avoiding it, we spread our bed-clothes and retired to rest."

4. *An Historical and Descriptive Narrative of Twenty years' Residence in South America.* By W. B. Stevenson.

Indian Costume.—"The dress or costume of the men consisted of a flannel shirt, and a pair of loose drawers of the same material, generally white, reaching below the calves of the legs; a coarse species of rug about two yards wide and two and a half long, with a slit in the middle through which the head was passed: this garment, if so I may style it, hanging over the shoulders and reaching below the knees, is called a *poncho*. The common ones seemed to be made from a brownish sort of wool, but some were very fancifully woven in stripes of different colours and devices, such as animals, birds, flowers, &c. The *poncho* is universally worn in all the provinces of South America which I visited; but I must say here, that I considered it as an excellent riding dress; for, hanging loosely and covering the whole body, it leaves the arms quite at liberty to manage the whip and reins. The hat commonly worn is in the form of a cone, without any skirts; for shoes they substitute a piece of

raw bull's hide, cut to the shape of the sole of the foot, and tied on with slender thongs of leather. The females wear a long white flannel tunic, without sleeves, and an upper garment of black flannel, extending below their knees, the sides closed up to the waist, and the corners from the back brought over the shoulders and fastened to the corners of the piece in front with two large thorns, procured from a species of cactus, or with large silver brooches: it is afterwards closed round the waist with a girdle about three inches broad, generally woven in devices of different colours; very often, however, nothing but the white tunic is worn, with the girdle, and a small mantle or cloak called *ichella*. The favourite colour appeared to be a bluish green. The females generally have nothing on their heads or feet, but have a profusion of silver rings on their fingers, and on their arms and necks an abundance of glass bead bracelets and necklaces."

Polygamy.—"Besides the laborious occupation of spinning and weaving, and the usual household labour, each wife (for polygamy is allowed, every man marrying as many wives as he choose, or rather, as many as he can maintain) has to present to her husband daily a dish of her own cooking, and annually a *poncho* of her own spinning and weaving, besides flannel for shirts and drawers. Thus an Indian's house generally contains as many fireplaces and looms as he has wives; and instead of asking a man how many wives he has, it is more polite to ask him how many fires he keeps."

The Palican—a Game.—"The principal out-door diversion among

the young men is the *palican*: this game is called by the Spaniards *chueca*, and is similar to one I have seen in England called bandy. Molina says it is like the *calcio* of the Florentines and the *orpasto* of the Greeks. The company divides into two sets. Each person has a stick about four feet long, curved at the lower end. A small hard ball, sometimes of wood, is thrown on the ground: the parties separate; some advance towards the ball, and others stand aloof to prevent it when struck from going beyond the limits assigned, which would occasion the loss of the game. I was told that the most important matters have been adjusted in the different provinces of Araucama by crooked sticks and a ball; the decision of the dispute is that of the game—the winner of the game being the winner of the dispute.

"At Arauco I heard that the present Bishop of Conception, Roa, having passed the territory belonging to the Indians with their permission (a formality never to be dispensed with) on his visitation to Valdivia, was apprehended in returning for not having solicited and obtained a pass, or safe conduct from the *Uthamapu*, or principal political chief of the country which he had to traverse, called by the Indians, the *Lauguén Mapu*, or marine district. His lordship was not only made prisoner, but despoiled of all his equipage; and it became a matter of dispute, which nothing but the *palican* could decide, whether he should be put to death or allowed to proceed to Conception. The game was played in the presence of the bishop: he had the satisfaction of

seeing his party win, and his life was saved. The propriety, however, of keeping the booty taken from him was not questioned by any one."

A convent of St. Dominick.—

"The rents of this convent amount to about 80,000 dollars annually, and the number of friars belonging to the order is one hundred and forty. The provincial prelates are elected by the chapter every year, being a Spaniard and a Creole alternately, and the contests run so high, that a military force has sometimes been found necessary to prevent bloodshed.

"Belonging to this order is the sanctuary of Saint Rose, she having been a *beata*, a devotee of the order, wearing the Dominican habit. In the small chapel are several relics or remains of the saint, as bones, hair, &c. but more particularly a pair of dice, with which, it is pretended, when Rose was exhausted by prayers and penance, Christ often entertained her with a game."

Female Dress, &c. at Lima.—

The walking dress of the females of all descriptions is the *saya y manto*, which is a petticoat of velvet, satin, or stuff, generally black or of a cinnamon colour, plaited in very small folds, and rather elastic; it sits close to the body, and shows its shape to the utmost possible advantage. At the bottom it is too narrow to allow the wearer to step forward freely, but the short step rather adds to than deprives her of a graceful turn. This part of the dress is often tastefully ornamented round the bottom with lace, fringe, spangles, pearls, artificial flowers, or whatever may be considered fashionable. Among ladies of the higher order

order the *saya* is of different colours — purple, pale blue, lead colour, or striped. The *manto* is a hood of thin black silk, drawn round the waist, and then carried over the head: by closing it before, they can hide the whole of the face, one eye alone being visible; sometimes they show half the face, but this depends on the choice of the wearer. A fine shawl or handkerchief hanging down before, a rosary in the hand, silk stockings, and satin shoes, complete the costume.

"The hood is undoubtedly derived from the Moors, and to a stranger it has a very curious appearance; however, I confess that I became so reconciled to the sight, that I thought and still think it both handsome and genteel. This dress is peculiar to Lima; indeed I never saw it worn any where else in South America. It is certainly very convenient, for at a moment's notice a lady can, without the necessity of changing her under-dress, put on her *saya y manto*, and go out; and no female will walk in the street in any other in the day time. For the evening promenade an English dress is often adopted, but in general a large shawl is thrown over the head, and a hat is worn over all: between the folds of the shawl it is not uncommon to perceive a lighted cigar; for although many of the fair sex are addicted to smoking, none of them choose to practise it openly.

"When the ladies appear on public occasions, at the theatre, bull circus, and *pascos*, promenades, they are dressed in the English or French costume, but they are always very anxious to exhibit a profusion of jewellery, to

which they are particularly partial. A lady in Lima would much rather possess an extensive collection of precious gems than a gay equipage. They are immoderately fond of perfumes, and spare no expense in procuring them: it is a well-known fact, that many poor females attend at the archbishop's gate, and after receiving a pittance, immediately purchase with the money *agua rica*, or some other scented water. Even the ladies, not content with the natural fragrance of flowers, add to it, and spoil it by sprinkling them with lavender water, spirit of musk, or ambergris, and often by fumigating them with gum benzoin, musk and amber, particularly the *mistura*, which is a compound of jessamine, wall flowers, orange flowers and others, picked from stalks. Small apples and green limes are also filled with slices of cinnamon and cloves. The mixture is generally to be found on a salver at a lady's toilette: they will distribute it among their friends by asking for a pocket handkerchief, tying up a small quantity in the corner, and sprinkling it with some perfume, expecting the compliment 'that it is most delicately seasoned.'"

African Custom. — "In the suburbs of San Lazaro are *cofradías* or clubs belonging to the different castes or nations of the Africans, where they hold their meetings in a very orderly manner, generally on a Sunday afternoon; and if any one of the royal family belonging to the respective nations is to be found in the city, he or she is called the king or queen of the *cofradia*, and treated with every mark of respect. I was well acquainted with a family in

Lima, in which there was an old female slave, who had lived with them for upwards of fifty years, and who was the acknowledged queen of the Mandingos, she being, according to their statement, a princess. On particular days she was conducted from the house of her master, by a number of black people, to the *cofradia*, dressed as gaudily as possible; for this purpose her young mistresses would lend her jewels to a considerable amount, besides which the poor old woman was bedizened with a profusion of artificial flowers, feathers, and other ornaments. Her master had presented her with a silver sceptre, and this necessary appendage of royalty was on such occasions always carried by her. It has often gratified my best feelings, when *Mama Rosa* was seated in the porch of her master's house, to see her subjects come and kneel before her, ask her blessing, and kiss her hand. I have followed them to the *cofradia*, and seen her majesty seated on her throne, and go through the ceremony of royalty without a blush. On her arrival, and at her departure, the poor creatures would sing to their music, which consisted of a large drum, formed of a piece of hollow wood, one end being covered with the skin of a kid, put on while fresh, and braced by placing it near some lighted charcoal; and a string of catgut, fastened to a bow, which was struck with a small cane; to these they added a rattle, made of the jaw-bone of an ass or mule, having the teeth loose, so that by striking it with one hand they would rattle in their sockets. For a full chorus, they sometimes hold a short bone in their hand, and draw it briskly

backward and forward over the teeth: it does not produce much harmony, it is true: but if David found harmony in his harp, Pan in his pipes, and Apollo in his lyre; if a shepherd find music in his reed, and a mandarin in the gong, why should not the queen of Mandingo find it in the jaw-bone of an ass or a mule!

"The walls of the *cofradías* are ornamented with likenesses in fresco of the different royal personages who have belonged to them. The purpose of the institution is to help those to good masters, who have been so unfortunate as to meet with bad ones; but as a master can object to selling his slave, unless he prove by law that he has been cruelly treated, which is very difficult, or next to impossible, the *cofradías* raise a fund by contributions, and free the slave, to which the master cannot object; but this slave now becomes tacitly the slave of the *cofradia*, and must return by instalments the money paid for his manumission."

English Manufactures.—"On entering a house in Lima, or in any other part of Peru that I visited, almost every object reminded me of England; the windows were glazed with English glass—the brass furniture and ornaments on the commodes, tables, chairs, &c. were English—the chintz or dimity hangings, the linen and cotton dresses of the females, and the cloth coats, cloaks, &c. of the men, were all English:—the tables were covered either with plate or English earthenware, and English glass, knives, forks, &c.; and even the kitchen utensils, if of iron, were English; in fine, with very few exceptions, all were either of English

English or South American manufacture."

A Heroine.—"The valley of Chancay is the birth-place of the celebrated *Nina de la huaca*, young lady of the huaca, taking her name from the huaca, the farm where she was born. She stood six feet high, which was a very extraordinary stature, as the Peruvian females are generally low. Extremely fond of masculine exercises, nothing was more agreeable to her than to assist in apprehending runaway slaves, or in taking the robbers who sometimes haunt the road between this place and Lima. She would mount a spirited horse, *al uso del pais*, astride, arm herself with a brace of pistols, and a *hasta de rejon*, a lance, and with three or four men she would scour the environs of the valley and the road to Lima, where she became more dreaded than a company of *encapados*, or mounted police-officers. I visited her at her residence, and found her better instructed in literature than the generality of the native females; she was frank, obliging, and courteous, managing her own estate, a sugar plantation, to the best advantage, superintending the whole of the business herself.

Destructive Insect.—The destructive qualities of the *comejen* are so active, that "in the space of one night it will penetrate the hardest wood, or any other similar substance. I have been assured, that in the same space of time, it has been known to perforate a bale of paper, passing quite through 24 reams. This insect builds its nest under the eaves of the houses, of a glutinous clay, similar to that used by the swallows in the fabri-

cation of their nests; but the *comejen* continues his for several yards in length. The greatest care is necessary to prevent their entering a store or any such place, where their depredations would cause a considerable decrease in the value of the contents. The natives sometimes daub their nests with tar, which destroys the whole swarm; for if disturbed, they will divide into different societies, and each will separately search for a convenient place in which to form a new one."

Purple Dye.—"The small shell-fish found on the rocks near to Santa Elena are worthy of notice, as I believe them to be the true Turbines. They are about the size of a hazel nut, shaped like a snail, and by different operations the beautiful purple dye is obtained from them. Some prick the fish with a needle or cactus thorn, and then press it down into the shell till a small quantity of milky juice appears, into which a portion of cotton is dipped; it is put into an earthen jar or cup, and the fish is placed again on the rock: others take the fish out of the shell, and lay it on their hands; they press it with a knife from the head towards the tail or the slender part, which becomes filled with liquid, and is cut off, and cotton is applied to absorb the moisture, otherwise thread is passed through it. When the cotton is soaked in the liquor, and a sufficient quantity is obtained, it is mixed with as much dry cotton as it will conveniently make damp, the cotton being well carded or teased; it is afterwards dried and spun; when thread is used it is only drawn through the liquor and dried. The colour is at first a pale yellow, it subsequently

quently changes to a greenish hue, and in the course of a few hours it acquires the beautiful purple tinge so much admired by the ancients, and which no future washing or exposure to the air can alter. The thread dyed by the liquid procured from this small fish is often sold in Guayaquil, and is called *caracolillo*, from *caracol*, a snail."

The Alligator.—"I have frequently seen the alligators, or lagartos, eighteen or twenty feet long. They feed principally on fish, which they catch in the rivers, and are known sometimes to go in a company of ten or twelve to the mouths of the small rivers and creeks, where two or three ascend while the tide is high, leaving the rest at the mouth; when the tide has fallen, one party besets the mouth of the creek, while the other swims down the stream, flapping their tails, and driving the fish into the very jaws of their devourers, which catch them, and lift their heads out of the water to swallow them.

"When these voracious creatures cannot procure a sufficient quantity of fish to satisfy their hunger, they betake themselves to the savanas, where they destroy the calves and foals, lurking about during the day, and seizing their prey when asleep at night, which they drag to the water-side, and there devour it. The cattle and the dogs appear sensible of their danger when they go to the rivers to drink, and will howl [low] and bark until they have attracted the attention of the lagartos at one place, and then drop back and run to another, where they drink in a hurry, and immediately leave the water-side; otherwise, as has

been the case, an alligator would seize on them by the nose, drag them under the water, and drown and eat them.

"When the lagarto has once tasted the flesh of animals, it will almost abandon the fish, and reside principally ashore. I crossed the large plain of Babayo, where I saw a living one, buried, except the head, in the clay, beside the remains of several dead ones. On inquiring how they came there, the *montubios*, a name given here to the peasantry, told me, that when the rains fall in the mountains great part of this savana is inundated, at which time the lagartos prowl about in search of the cattle remaining on the small islands that are then formed; and when the waters retire they are left embedded in the clay, till the ensuing rains set them at liberty; they feed on flies, and can exist in this manner for six or seven months. When found in this state the natives always kill them; sometimes by piercing them with lances between the fore leg and the body, the only visible part in which they are vulnerable; if they be not prepared with a lance, they collect wood, and kindle a fire as near to the mouth of the lagarto as they dare venture, and burn him to death.

"These animals will sometimes seize human beings when bathing, and even take children from the shores; after having succeeded once or twice they will venture to take men or women from the balsas, if they can surprise them when asleep; but they are remarkably timid, and any noise will drive them from their purpose. They have also been known to swim alongside a small canoe, and

to suddenly place one of their paws on the edge and upset it, when they immediately seize the unwary victim. Whenever it is known that a *cebado*, one that has devoured either a human being or cattle, is in the neighbourhood, all the people join in the common cause to destroy it; this they often effect by means of a noose of strong hide rope, baited with some animal food; when the *lagarto* seizes the bait, its upper jaw becomes entangled with the rope, and the people immediately attack it with their lances, and generally kill it.

"The natives divert themselves in catching the *lagartos* alive; they employ two methods, equally terrific and dangerous to a spectator, at first sight; both of these were exhibited to Count Ruiz, when we were at Babaoyo, on our way to Quito. A man takes in his right hand a truncheon, called a *tolete*; this is of hard wood, about two feet long, having a ball formed at each end, into which are fastened two iron harpoons, and to the middle of this truncheon a plaited thong is fastened. The man takes this in his hand, plunges into the river, and holds it horizontally on the surface of the water, grasping a dead fowl with the same hand, and swimming with the other: he places himself in a right line with the *lagarto*, which is almost sure to dart at the fowl: when this happens, the truncheon is placed in a vertical position, and at the moment that the jaw of the *lagarto* is thrown up, the *tolete* is thrust into the mouth; so that when the jaw falls down again the two harpoons become fixed, and the animal is dragged to the shore by the cord fastened to the *tolete*. When

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on shore the appearance of the *lagarto* is really most horrible; his enormous jaws propped up by the *tolete*, showing his large sharp teeth; his eyes projecting almost out of his head; the pale red colour of the fleshy substance on his under jaw, as well as that of the roof of the mouth; the impenetrable armour of scales which covers the body, with the huge paws and tail, all contribute to render the spectacle appalling; and although one is perfectly aware that in its present state it is harmless, yet it is almost impossible to look on it without feeling what fear is. The natives now surround the *lagarto* and bait it like a bull; holding before it any thing that is red, at which it runs, when the man jumps on one side and avoids being struck by it, while the animal continues to run forward in a straight line, till checked by the thong which is fastened to the *tolete*. When tired of teasing the poor brute, they kill it by thrusting a lance down its throat, or under the fore leg into its body; unless by accident it be thrown on its back, when it may be pierced in any part of the belly, which is soft and easily penetrated.

"The other method is, by taking a fowl in one hand, and a sharp strong knife in the other; the man swims till he is directly opposite to the alligator, and at the moment when it springs at the fowl the man dives under the water, leaving the fowl on the surface; he then holds up the knife to the belly of the animal, and cuts it open, when the alligator immediately rolls over on its back, and is carried away by the stream. Much has been said about the surprising agility of

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some of the Spanish bull-fighters, and I have often beheld feats that have astonished me; but this diversion at Babaoyo, for so the natives consider it, evinced more bravery and agility than I had ever before witnessed. The teeth of the alligator are often taken from the jaws, and *yesqueros*, small tinder-boxes, which are generally carried in the pocket for the purpose of lighting cigars, are made from them; they are beautifully white, and equal to the finest ivory; some are four inches long, and I have seen them most delicately carved, and mounted with gold or silver."

5. *Travels among the Arab Tribes inhabiting the Countries East of Syria and Palestine, &c. &c.*
By J. S. Buckingham.

These travels set out from Nazareth, and in the first third of the volume describe the passage of the Jordan above Beisan, and between that place and Oom-Kais; — the route, in a line nearly parallel to the river, down to Assalt; a journey from Assalt, across the elevated plain of Belkah, to Oom-er-Russas, including a visit to Ammân, and a forced return to Assalt; and the author's track from Assalt through the plains of the Haouran, in a contrary direction, to Djebel Haouran. Our first extract relates to the passage of the Jordan to the eastern bank:

"In fording the Jordan at this spot, which was at a distance of two hours, or about four miles to the southward of its outlet from the lake of Tiberias, we found it so deep near the banks of the stream as to throw our horses off

their legs for a few minutes, and oblige them to swim; but they soon regained their footing as they approached the middle of the stream, and in the very centre we found it quite shallow. It still appeared rather as a brook or torrent, than a river, being no where more than one hundred feet wide, as far as we could observe it from hence; and the water, which was clear and sweet, winding slowly over a sandy and pebbly bed at about the rate of a mile and a half per hour."

Having reached Assalt, some 40 or 50 miles to the S. S. E., Mr. B. was quartered on a merchant named Aioobe, or Job. His house, the principal dwelling in the town—

"Consisting of one room only about twenty feet square, divided into a lower portion for the cattle, and an upper part or terrace, about two feet above the former, for the family. In the first of these was contained also a large supply of fire-wood and provisions for the winter; and in the last his whole stock of merchandise, consisting of cotton cloths from Nablous, Bedouin garments, and various articles, chiefly for sale among the tribes of Arabs, that come to the market of Assalt from the surrounding country. This chief of the merchants of Assalt was estimated to be worth about 5000 piastres, or 250*l.* sterling; and by most of his fellow-townsmen he was considered to be as rich as any merchant could hope or desire to be. In comparison with his neighbours he might be called wealthy indeed; for many of those who were considered traders, had never more than 10*l.* sterling invested in stock, and the average of the town might be safely taken

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at 20*l.*, as rather beyond than below the state of their trading property.

"After a day passed in visits to all the principal christian inhabitants of the place, and eating, contrary to my inclination, at almost every house, we assembled in a large evening party at the dwelling of the widow in which Georgis and myself had taken up our temporary abode. Though the dimensions of this building were very small, not exceeding fifteen feet by twelve, it had a chimney in the wall, and an apartment of the same size above, the ascent to which was by a flight of narrow steps made of dried clay, with a carved wooden balustrade; the only instance I had met with, in all the town, of so much convenience and ornament.

"Although this was the evening of Sunday, cards were introduced, and I was pressed to take a part in the game against my will. Fortune was adverse to me: and in playing for garments, I lost my booz, a sort of thick woollen cloak, which I had bought at Nazareth for four piastres. There was no remedy: and though all exclaimed, *Allah kereem!* 'God is bountiful,' yet I felt that this was neither the season nor the country in which to gamble away warm garments, particularly as it would have been imprudent, at the present moment, to show that my finances were so good as to admit of my purchasing it back again from the winner.

"The conversation of the evening was such as I should gladly have retained, had it been practicable to have stored my memory with all the geographical and topographical facts mentioned re-

specting the positions of ancient and modern places in the neighbourhood, the very names of which are unknown in England, as the whole of this tract is little better than a blank in our best maps. But amidst so many loud and discordant voices, and the innumerable questions that were incessantly asked me on every side, the names of places that I heard in one moment escaped me in the next.

"Among the many ridiculous questions that were seriously proposed to me, when talking of the different countries that I had visited, I was asked, whether I had ever been to the Belled-el-Kelb, where the men had dogs' heads? and, whether I had seen the Geziret-el-Waak, or the island in which women grow on trees, budding at sunrise, and becoming mature at sunset, when they fall from the branches, and exclaim, in the language of the country, *Waak! Waak!* 'Come and embrace me!'

"The opinions entertained by the people of Assalt on all matters beyond their own immediate sphere of observation, are like those which prevailed among the most ignorant of the ancients; and there is no fable of antiquity, however preposterous, that would not find believers here. Even now, places not a league distant from the town are made the scene of miracle; and the people seem not only to believe, but to delight in the marvellous. My guide, Mallim Georgis, was a consequential old man, of diminutive stature, with a scanty beard confined to the extremity of his chin, small grey eyes, an aquiline nose, thin lips, high arched forehead, and round back; he might have

have passed for a true descendant of Æsop, for he talked incessantly, and almost constantly in fables and parables. I have no doubt, from the reputation he seemed to enjoy with every one, that he was a man of integrity, and, in matters of common intercourse in life, a person of general credit and good faith; yet even *he* made no hesitation to swear by the few hairs of the scanty beard he possessed, that he had seen a Muggrebin at Oom Kais, by the art of magic, transport one of the columns of the ruins from that place to his own country; that he had distinctly heard him order it to rise and begone; and that he himself, with his own eyes, had seen it take its flight through the air! Others said, that at a place called Oom-el-Russas, in the way to Karak, several Muggrebins had, by the aid of perfumes and prayers, raised up out of the earth copper cases full of gold, and carried them off to their own countries!

"Amidst these absurd stories, there were now and then mingled some useful facts that were more worthy of remembering. I learnt, for instance, from the conversation of the evening, that Mallim Moosa, or Doctor Seetzen, had gone round the Bahr-el-Loot, or Dead Sea, from the outlet of the Jordan to the same point on his return, passing round from east to west, and that he had found the remains of many Greek monasteries and churches among the barren rocks that border it. Sheikh Ibrahim,

or Mr. Burckhardt, had gone from hence, it was said, to Karak, and from that town round the southern extremity of the Dead Sea, by the ancient Zoar, to Egypt, with a party of Bedouins, about three years since. When I mentioned to them that I had, at Mr. Burckhardt's request, made minute inquiries into the particulars of Dr. Seetzen's death at Mokha, in my way from Egypt to India through the Red Sea, it excited a deep interest, and apparently a sincere regret*; both these enterprising individuals being well known to most of the persons present, and being, indeed, the only Europeans that had ever, till this period, penetrated much to the east of the Jordan, as far, at least, as was known to us by any trace of such a visit.

"The general topics of conversation were, however, relating to the Muggrebins, and their exploits whenever they came into this part of the country. These Muggrebins—the name being common to all the Arabs that come from any part of Africa between the Nile and the Atlantic—have the character of being profound magicians; and as the country east of the Jordan abounds with ruins, the people think that in all of them treasures are buried, and that the chief, if not the only object of all strangers coming among them, is to discover these hidden treasures, and carry them off for their own use. On the summit of Jebel-el-Belkah, or Bilgah, as it is equally often pronounced, the

* "The particulars here alluded to were sent by me to Mr. Burckhardt, from Mokha, and by him transmitted to the Baron Von Hammer, at Vienna; by whom they were published, in a letter bearing my name, in one of the numbers of a large work published at that capital, under the title of *Les Mines de l'Orient*.

Pisgah of the Hebrews, from which Moses saw the promised land and died, and which is only three hours south of the reputed tomb of Joshua, on the mountain of Assalt, there grew, according to the testimony of all present, a species of grass, which changed the teeth of every animal that ate of it to silver! And in a party of twenty persons then assembled, there were not less than five witnesses who declared most solemnly that they had seen this transmutation take place with their own eyes!!”

The informant who principally contributed these details, and many others relating to the topography of the district, is thus mentioned as getting rid of his task in being catechised:

“Here my informant grew tired of his task, and exclaimed, ‘By the beard of my prophet! there are three hundred and sixty-six ruined towns and villages about Assalt, and I know the names of all; but who could have the patience to sit down and recite them to another, while he writes them in a book?’ I said all I could to explain the utility of this; and added, that my chief object in taking this trouble was for the purpose of ascertaining what scriptural names were still retained and extant among the ruined cities here: but all my efforts were of no avail: the patience of my companion was exhausted, and there was no prevailing on him to resume his task. I had ascer-

certained, however, by this means, at least one highly interesting fact, namely, that the whole of this region was, in a manner, studded with the ruins of ancient towns, and must have been once highly fertile and thickly peopled. On a reference to the division of the place given to the tribe of Judah, there appear only three names of places in the modern list corresponding with those of the cities mentioned there. Assalt, for the city of Salt (Joshua xv. 62); El Anab, for Anab (verse 50); and El Jehennah probably for Janum (verse 53). I have no doubt, however, but a visit to the places themselves, and the comparison of names on the spot might lead to the most interesting discoveries towards the elucidation of scriptural topography, and restore the lost knowledge of this interesting region, which appears, both from ancient testimony, and the existence of innumerable ruins up to the present time, to have been one of the most fertile and thickly peopled countries on the face of the earth, though it still remains a blank in our maps, and is considered by all who treat of these countries as a desert or a wilderness.”

On the contrary, throughout all this journey the remains of a very thickly planted ancient population, ruins of flourishing cities, and other signs of extreme cultivation and riches, are every where obvious*. How great is the contrast now? At one spot the tra-

* Speaking elsewhere, Mr. B. observes, “We had now arrived at a very elevated part of the plain, which had continued fertile throughout the whole of the distance that we had yet come from Amman to this place, and were still gradually rising as we proceeded on, when we came to an elevation from which a new view opened before us to the south-east, in the direction in which we were travelling. This view presented to us, on a little lower level, a still more extensive tract of continued plain, than that over
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veller's horses were startled by the rushing out of wild boars from the tickets, and in another we are told :

" Proceeding onward, without even alighting to examine the ruins of Jelool, we started a strange animal from his retreat ; and a cry of pursuit being set up by Abu Farah, we loosened our reins, and spurred our horses for the chase. It ran with such speed, however, that it gained upon us considerably at first, but we soon came up with it, and, coming near, each discharged his musket, but without success. At the sound of this, the animal turned sharp round, and ran towards my horse, uttering, with open jaws, a sound like the hissing of a goose, excepting only that it was rougher and much louder. The horse was frightened at this attack, and became almost unmanageable : but on loading and discharging a second piece with ball, the animal fell. It was called in Arabic, according to the information of my guide, '*El Simta*;' and was said, by him, to live chiefly by preying on the bodies of the dead, while it was naturally so ferocious, that it always turned on the living when attacked, and seldom even took

flight at first as it had done with us. The whole length of this animal did not exceed five feet, including a short head and neck, and a bushy tail of about a foot long ; its legs were short, its belly fat, and its whole height from the ground not more than eighteen inches ; its nose was rounded, its head small, and its mouth wide ; the colour of all the lower part of its body was black, but over the back and tail it had a broad grey patch, which, at a little distance, resembled a dirty white cloth, tied over the animal to shelter it from wet or cold ; its hair was long and coarse, its back slightly arched, like that of the hyæna, and its general resemblance nearer to the badger, than to any other animal to which I could compare it."

At Adjeloon (Ajalon) " there were only two christians in the place besides our host, and as these were not present among the groupe that surrounded us on our arrival, they were sent for, when the kissing and greeting of our first meeting was again repeated.

" After we had satisfied the curiosity of our Mohammedan visitors, they gradually dispersed ; and being now left alone, or with

which we had already passed. Throughout its whole extent were seen ruined towns in every direction, both before, behind, and on each side of us ; generally seated on small eminences ; all at a short distance from each other ; and all, as far as we had yet seen, bearing evident marks of former opulence and consideration. There was not a tree in sight as far as the eye could reach ; but my guide, who had been over every part of it, assured me that the whole of the plain was covered with the finest soil, and capable of being made the most productive corn land in the world. It is true, that for a space of more than thirty miles there did not appear to me a single interruption of bill, rock, or wood, to impede immediate tillage ; and it is certain, that the great plain of Esdraelon, so justly celebrated for its extent and fertility, is inferior in both, to this plain of Belkah, for so the whole country is called, from the mountain of that name, the Pisgah of the scripture. Like Esdraelon, it appears also to have been once the seat of an active and numerous population ; but, on the former, the monuments of the dead only remain, while here the habitations of the living are equally mingled with the tombs of the departed, both thickly strewn over every part of the soil from which they drew their sustenance."

christian

christian companions only, the conversation became more free and unconstrained than while they were present.

. "Our supper consisted of a dish of rice, peas, and onions, all stewed together in oil; and ungrateful as such a mess must naturally be to an English palate, my appetite was rendered so keen by hunger, that I literally and truly enjoyed it, and made a hearty meal. By way of dessert, some walnuts and dried figs were afterwards served to us, besides a very curious article, probably resembling the dried wine of the ancients, which they are said to have preserved in cakes. Those of which we now partook might also be called wine-cakes: they were of the shape of a cucumber, and were made out of the fermented juice of the grape formed into a jelly, and in this state wound round a central thread of the kernel of walnuts; the pieces of the nuts thus forming a support for the outer coat of jelly, which became harder as it dried, and would keep, it was said, fresh and good for many months, forming a welcome treat at all times, and being particularly well adapted for sick or delicate persons, who might require some grateful provisions capable of being carried in a small compass, and without risk of injury on a journey.

"In the village itself, and not far from the dwelling of our host, I was taken into the house of a Mohanmedan family to be shown what was justly considered to be the greatest curiosity in the place. The lower part of the room into which we were introduced was appropriated to the cattle of the family. It was about fifteen feet

square, and was surrounded by a bench of solid rock, about two feet broad, and two feet high. In the upper surface of this bench or raised seat were hewn, close to each other, separate troughs or cisterns of about eighteen inches square, and nearly two feet deep. At one corner of this singular apartment was a trough or cistern, with an outlet for conveying the water through the building; and beyond the walls of it, in the same direction, were seen the remains of a small subterranean chamber, hewn out of the rock, and ornamented with stucco on its walls. The most curious part of all was the pavement of the first room, which was a sort of Mosaic work, formed of very small stones united together on a bed of cement below them. The persons who showed us this apartment asserted that the stones were of various colours, naming white, green, red, yellow, and blue; but if this were really the case, the surface was now too dirty to enable us to perceive the variety of colours described. It appeared to me, at first sight, to be a thin layer of natural stone, liable to break in squares, as I had before seen a layer of that kind only a few inches below the surface of the earth, near the spot where the Roman sarcophagus had lately been dug out of the rubbish; but, on a closer examination of the whole, I thought it to be really an artificial work, as the joints were in many instances too ill-shapen to be natural. The separate pieces were, in general, less than an inch square; and, though dark at the upper surface as if stained, were white at the bottom. The stone itself was a coarse marble, and the cement on which the whole

whole reposed was a fine lime. I had no doubt, indeed, after a close examination, that the work was entirely artificial, and as such it might be considered, perhaps, as ancient a specimen of that kind of pavement as any in existence.

Were it not for this display of labour and expense, I should have thought the apartment originally meant for a stable, with the square pits hewn in the raised bench running round it for grain, and the large trough in the corner for watering the cattle; but, with a Mosaic pavement in the centre, and the square excavations serving as rude cisterns for water all around, it appeared more probable that it had been a very ancient bath. On the outside of this building, to the eastward, and above the stuccoed subterranean chamber, we were shown another pavement, of a similar kind, the stones being only larger in size, or nearly two inches square; like the former one, this was a coarse white marble imbedded in lime, and resembling, at first sight, a layer of stone naturally fractured into squares, as in the vein of this kind near the sarcophagus already described. It is not improbable but that the hint of this rude Mosaic might have first been taken from nature; consisting originally of a simple imitation of such broken layers, and the idea subsequently improved by all the successive varieties of colour and form through which it must have passed, before the art attained its present high state of perfection."

The difficulty of travelling in the Hauran, at the time of Mr. Buckingham's sojourn, seems to have arisen in great measure from the scarcity of corn to feed the

horses, (in consequence of a great drought:) and he says,

"A foot passenger could therefore make his way at little or no expense, as travellers and wayfarers of every description halt at the sheikh's dwelling, where, whatever may be the rank or condition of the stranger, before any questions are asked him as to where he comes from, or whither he is going, coffee is served to him from a large pot always on the fire, and a meal of bread, milk, oil, honey, or butter, is set before him, for which no payment is ever demanded or even expected by the host, who, in this manner feeds at least twenty persons on an average, every day in the year, from his own purse: at least I could not learn that he was remunerated in any manner for this expenditure, though it is considered as a necessary consequence of his situation as chief of the community, that he should maintain this ancient practice of hospitality to strangers.

"One of the peculiar characteristics of difference between the ruined towns in the Hauran and those of the countries to the westward, is this, that in the former no fragments of broken pottery are seen, while near the ruins of ancient cities in Syria and Egypt, considerable quantities of such fragments are invariably found, either collected in heaps or scattered about on the surface of the earth. From this, one would infer, that abundant as was the use of earthen vessels in the two former countries, and particularly along the banks of the Nile, they were not much used in the Hauran, where, as stone had been so universally applied to all parts of their

their buildings from the want of wood, the same material, or perhaps metal, might have served for all their domestic utensils, and supplied the place of clay. Even at the present day, indeed, the want of this is so general, that there are no potters or potteries in the country, and scarcely a vessel of earthenware is anywhere to be seen. The large jars used in their houses for containing corn and other provisions are made of mud and chopped straw, simply dried in the sun; their small drinking cups for coffee are of chinaware brought from Damascus; their cooking utensils are all of iron or copper tinned on the inside; and water, wherever we had yet had occasion to ask for it, was handed to us in round wooden vessels, about the size of an English gallon, such as is used in measuring corn, about the same size, shape, and material, and not round like a bowl; in every part of Syria and Egypt, however, the jars and water-pots are of red and yellow pottery of burnt clay."

The Druses who inhabit the country before the traveller arrives at Bosra, are communicative and tolerant: but Mr. B. hastened anxiously through them, (not staying, as Burckhardt did,) and in good time reached his destination:

"Having alighted," he tells us, "at the house of a person well known to both my guides, our first enquiry was as to the state of the roads, and the probable safety of a journey from thence to Damascus. In answer to our questions we received only vague assertions of what was already known to us, namely, that there was no assurance of safety in any

part of the Hauran, without being well armed and in a party."

Bosra itself is an extremely interesting place, but Mahometan jealousy prevented the author from giving so particular an account of its curiosities as he wished.

"It was in vain," says Mr. Buckingham, "that I directed my enquiries as to any traditions respecting this celebrated city; not one among our whole party remembered the poetic passage in Isaiah, 'Who is he that cometh from Edom, with dyed garments from Bozrah? this that is glorious in his apparel, travelling in the greatness of his strength?' (chap. lxiii. ver. 1.) Not one of them remembered any thing of even of the name of Judas Maccabeus, by whom this city was taken; nor were they at all aware that it had been a post contested by the Romans, Parthians, Saracens, or any other people, as a fortified and border possession; but imagined that it must have been originally one of the principal cities of Solomon, and from the decline of the Jewish power have passed at once into the possession of the Christian Greeks, to whom they attributed all the principal remains now seen in the city."

But though he could get little of its antiquities, our countryman acquired information of another kind at Bosra. He says,

"On arising in the morning I found that I had been bitten all over, during my sleep, by an insect, whose bite seemed to combine the venom of the bug and mosquito in one, and to be more painful than either. I was informed, on enquiry, that this insect

sect was peculiar to Bosra, and failed not to select strangers for its feast in preference to those who were old residents of the place, which was the reason, probably, of so little pains being taken to use precautions against it.

"About 200 yards to the west of the castle of Mezerebe, is a lake called Ras-el-Bezhy. It is the source from whence issues the ancient stream of the Hieromax, or, as it is now called by the Arabs, Shereeah Mandoor, from the latter being the name, as I was assured, of a celebrated chief who once governed the whole of the tract through which that stream runs, from its source at Mezerebe, to its outlet into the Jordan, near the southern extremity of the Sea of Tiberias. The lake is about a mile in circumference; it has a small grass-covered islet in the centre, and an abundance of fish in its waters, equal in size and not inferior in beauty to the gold and silver fishes which are kept suspended in glass globes in England. The water is sweet and transparent, and the lake never dries. All around its margin are seen large round masses of the black porous stone before described, which are in equal abundance also at the outlet of the stream that issues from it, near the hot springs of the Hama. These black masses are all separate and unconnected with each other, each being rounded like the large stones on a sea-beach; and masses of the same size and form were seen by us scattered over every part of the plain that we had yet traversed

since our entering the Hauran. The stream that issues from the lake flows in nearly a westerly direction, with few windings, till it empties itself, at the spot already indicated, into the Jordan, which is considered to be about fifteen hours' journey from hence, in a W. S. W. direction."

The whole of this part of the country is covered with strange remains of the antiquities of various people. Corinthian architecture lies mingled with that which appears to be Saracenic; and Christian and Mahometan crumble together; and some remains seem to be of still more ancient dates than the oldest of these. Near a place called Dahhil, is the ruins of a great Roman aqueduct; and Mr. B. continues:

"From hence, in half an hour after passing the aqueduct, we saw the town of Ikketeby on our left, at the distance of a quarter of a mile. Rising from among its dwellings was seen a square tower with the appearance of a pyramidal base, like the one before described at Dahhil, but we were not sufficiently near to it to speak with certainty on this subject. A few minutes after this, we entered a place named Gherba, which is also called the town of Job, from a tradition that the prophet Job was born and resided here, and that this was the scene of his history as detailed in the sacred volume.

"On our way from Mezerebe to this place, we had passed in sight of several towns, to the southward of our route, among which were El-Draah, or Idderah*, a

* "This is thought to be the city of Edrei, so frequently mentioned in the Jewish writings, as one of the most important places in the territory of Bashan, the king of which, in the time of Moses, lived at Ashtaroth, which by some is considered to be the same with Bosra."

large town with a high square tower, appearing at the distance of four or five miles off like the tower of Oomel-Russas, or that in the valley of Adjeloon. Idderahh is, however, now entirely deserted, and the inhabitants have taken refuge at Gherbee. This migration of persons from one town to another is said to be frequent throughout the whole of the Hauran, in consequence of the incursions of the Arabs belonging to the tribes of Beni Hassan, Beni Ibn Saood, Beni Saïide, and others, who come down from the eastern mountains in large bodies, and scour the plains below from one end to the other. We were assured that, only a week since, a party of 300 Arabs had come down from the hills, and taken off from Rimzah, one of the largest towns here, and in the sacred way of the Derb-el-Hadj, or road of the pilgrims from Damascus to Mecca, upwards of 100 head of cattle, in horses, oxen, and sheep; and this was said to be no unfrequent occurrence; in so unprotected a state are the lives and property of individuals residing in these parts, and so insecure also is the whole of the country for travellers, whether journeying on business or for pleasure.

"On entering the town of Gherbee, I noticed small enclosures, like meadows, for the flocks, with a sort of watch-house built in the centre of each for the shepherds, who remain in them night and day, relieving each other by watches, for the purpose of guarding their herds from secret depredation, as well as to give the alarm in case of open attack.

"In passing by a heap of ruins, among which were some sculp-

tured blocks, I remarked one with an inscription on it, almost obliterated. The characters were certainly neither Arabic, Greek, nor the Hebrew now in use, but rather resembled some of the old inscriptions in unknown characters found in India, and particularly like some of those on the caves of Kenneri, in Salsette, near Bombay. As I remembered the great interest excited by the written characters at Mount Mokatteb, near the Desert of Sinai, from which the learned in Europe hoped to obtain some light as to the lost character of the original Hebrew, from which the Chaldaic is now used, I was particularly desirous of alighting to copy this inscription, four or five lines of which, at least, were tolerably distinct, and with some patience might have been accurately transcribed; but my guides resisted this most strenuously, as we were now in a town of 400 Mohammedans, with only four Christians in the whole place, at the house of one of which we were to alight: and this being known, we should be sure by such a step to attract a crowd around us, and be ill-treated as infidels and sorcerers. I was obliged, therefore, to yield to their refusal, and descending into the lower part of the town, with ruined dwellings on each side of our road, we alighted at the house of my old guide Abu Farah's friend."

This extract is in several ways interesting—from its references to spots made sacred by scripture and tradition; from its picture of Arab manners, even in what we may style domestic intercourse; but, above all, from its showing what lights upon the early history of mankind may here be found, and

and the difficulties likely to be encountered, in endeavouring to transport them whither they might shine with advantage. Mr. Buckingham next relates the accommodation they received, and the whole appears to us to be intelligent and deserving of quotation. He says,

"Our horses were taken care of, and we were conducted into a large room of about forty feet long by fifteen broad, and twelve feet high, with a raised space at one end about fifteen feet square, as if for the accommodation of beds, and the lower part of the room set apart for animals, as there were troughs for food and water on each side. The whole of the masonry of this edifice was extremely solid, the stones being in general five and six feet in length, squarely hewn, and closely united, and the posterns and architraves of the doorways were each of one solid stone hewn into a square form. It was evident, too, that the door itself had once been of stone, as the marks of the pivots for hinges, and the aperture for receiving the bolt, exactly as those at the tombs of Oom Kais, still remained; the original door had been removed, however, and its place was now supplied by a wooden one. The whole of the roof or ceiling was constructed of stone, the largest of the beams being of one solid piece, stretching across from wall to wall, and of corresponding thickness, as in the colossal temples of Egypt, and the intervals filled up by shorter stones like rafters and planking, making the whole one solid mass of stone. It appears to have been the same cause that led to this mode of building both in Egypt

and the Hauran, namely, the total absence of good building timber in both these countries; for in all our route of to-day we had not seen in any point of direction a single tree, nor even a bush of any size upon the ground. In its general character, the plain of the Hauran resembles those of Belkah to the south-east of Assalt, and Esdraelon in Galilee, in having gentle elevations, the same level being no where of long continuation, though still not so much above or below each other as to destroy its general character of an irregular and undulating plain, in which there is nothing that deserves to be called a hill on its whole surface. The eminences that here and there break its continuity are mostly small veins of rock projecting above the surface, and these appear to have been selected in all cases for the sites of towns, for the sake of securing a commanding position, a freer air, a dryer soil, and convenient access to the materials of building, which, indeed, were thus close at hand. Of towns on eminences like these we saw at least thirty, in different points of bearing on our way from El-Hhussen to El-Gherbee, and particularly to the eastward of the latter.

"When our fire was lighted, the want of wood was supplied by using the dried dung of animals, which, with a small portion of charcoal, was the only kind of fuel procurable here. At sun-set the camels of our host entered the room in which we were seated, and ranged themselves along, to the number of eight on each side, at the stone troughs before described. The height of the door of entrance, which was about seven feet, had

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struck me at first as something unusual, since, in most of the towns to the westward, the height of the door is rather below than above the human stature, and passengers are generally obliged to stoop before they can enter in. Here, however, the motive for increasing the height became evident, as in its present state it just admitted the entrance of the camels, and was no doubt originally constructed for that purpose, so as to admit them under shelter at night, and secure them from the incursions of the neighbouring Arabs. This flat country must always have been a country of camels, from the earliest ages: and these rooms for their reception might have been of very high antiquity, for the nature of the materials of which they were built (there being no wood whatever, and nothing else of a perishable nature used in their construction) made them in a manner indestructible.

"During our journey through the hills, we had seen only horses, mules, and asses, used as beasts of burden; but since we had entered the plain of the Hauran, we had met only camels, and these to the number of several hundreds in the course of one day. If this were really the land of Uz, and the town in which we now halted the place of Job's residence, as tradition maintained, there could be no portion of all Syria or Palestine, that I had yet seen, more suited to the production and maintenance of the 7000 sheep, 3000 camels, 500 yoke of oxen, and 500 she asses, which are enumerated as forming the substance of this greatest of all the men of the East. (Job. i. 3.) At the present day, there is no man, probably,

with such herds and flocks for his portion; but these are still, as they were in the earliest times, the great wealth of the men of substance in the country; and it is as common now as it appears to have been when the history of Job was written, to describe a man of consideration in these plains by the number of his flocks and herds rather than by any other less tangible indication of wealth."

This plain is, indeed, the granary of Syria; and its population a ruddy, fresh, cleanly, and fine race.

"I learnt that there was not a single town of all the many to the eastward of us (of which those named were but a small portion) which was now peopled, the only inhabitants of this deserted region being the birds of the air, and the beasts of the field; among which, lizards, partridges, vultures, and ravens were all that I saw, but the wolf, the hyena, and the jackall are said to abound. Some of the Great Desert tribes of the Arabs occasionally visit this country to the eastward, for the sake of the water and verdure which they occasionally find for their camels and flocks after the rains; and then, as I was assured, it often happens that a person might, in peaceable times, go right across the whole country from west to east, passing from tribe to tribe without danger, provided he were well assured of protection from the first tribe, from whom he might obtain his safe conveyance to the next beyond it, and so on; a journey that would well reward the enterprise of any European traveller who might have the inclination, the means, and the power to accomplish it. At present,

sent, however, the great body of the Wahabees of Nejed had so spread themselves from the borders of the Hedjaz up to the highest parts of the desert beyond Palmyra, and close to the cultivated country on the edge of Asia Minor, that there was no security for any one; the whole Desert, as it might be called, being in a state of war. It is to be hoped, however, that on the first favourable occasion, some intelligent traveller will be induced to make the attempt, in the course of which he would be able to explore every part of the celebrated dominions of Og the king of Bashan, of which this place of Salghud was one of the principal, and do much to elucidate the early books of Scripture, by an examination of the ruins of the 'threescore cities, all the region of Argob, the kingdom of Og in Bashan,' which cities 'were fenced with high walls, gates, and bars, besides unvalled towns a great many.'—(Deut. iii. 1 to 10.)

"As this has been named in Scripture as the land of the giants, and even the dimensions of the iron bedstead of their king have been given, which was kept in Rabbath of the children of Ammon, as a memorial, and was there referred to by the writer of Deuteronomy (iii. 11.), there is no part of the country wherein this inquiry as to the probable stature of man in the early ages of which the Scripture speaks, could be carried on with greater probability of success than here*; where the proverbial expression of there being 'three hundred

and sixty-six ruined towns,' now commonly used by the natives of these parts when speaking of many other districts of the country beyond Jordan, may be uttered with less exaggeration than in any other quarter to which I had yet heard it applied; so thickly strewed is every part of this interesting region with the vestiges of former strength and abundant population."

Having traced his steps back to Gheryeh, the author gives other curious particulars relating to this ancient site of human existence and effort.

"In the course of the evening we removed from the house in which our party first assembled, to the one adjoining it, which was larger, without an occupant. This gave me an opportunity of observing that the folding stone door of the first house, which was of the same description as those seen in the most ancient buildings, and at the entrance of Roman tombs, was fifteen inches thick, from which some idea may be formed of these ponderous masses, how unwieldy they must be to open and shut, and with what propriety they might be enumerated under the terms of 'gates and bars,' when speaking of the strength of the three-score cities of Og the king of Bashan; as these ponderous doors of stone were all closed on the inside with bars going horizontally or perpendicularly across them, and the whole edifice even to the beams and roof being of stone also, must have rendered them almost inaccessible to any but the battering-ram or

* See, for further mention of Salchah, (or Salghud, as it is now pronounced) Deut. iii. 10; Joshua, xii. 5. xiii. 12; and 1 Chron. v. 11.

cannon. This also appeared to me as another proof of the very high antiquity of most of the towns and buildings as we now saw them (notwithstanding the peculiar marks of Roman and Saracenic work about them which might well be subsequently added), from their accurate correspondence with the descriptions in the earliest books of the Scriptures: for such buildings must have been impossible to be destroyed and swept away entirely to give place to others, without infinitely more labour and cost than it would take to make them the abodes of all future successors; while each race of their occupiers might make such additions, improvements, and ornaments, as suited their own style of taste, leaving the more solid parts of the structure just as they found them, and as they are likely to endure, as memorials of the highest antiquity for ages yet to come. In the house adjoining us, to which our party retired, I remarked a central fire-place, with massy stone beams forming the roof, pointed arches, and extremely solid masonry throughout.

"Among other matters related during the evening, I learnt that the seven largest towns of the Hauran were appropriated to the seven days of the week, and that each bore the name of the day on which it held a market or fair; the round of the week being completed by each town holding a market once in seven days; so that during every day of the week there was a market or fair in some one or other of the seven, which being regularly observed was accurately known and attended as occasion required."

Ezra is full of the monuments of old times. One is a curious old mosque:

"Some of the arches rest on square pillars of masonry, and others on small circular columns of basalt. One of these pillars is formed wholly of one piece of stone, including pedestal, shaft, and capital: and near it is a curious double column, the pedestals of which are in one piece, the shafts each composed of two pieces, and the two capitals with their plinths all formed out of one block. These pillars are not large, and are only distant from each other, as they stand, about a human span. They are right opposite to the door of entrance into the mosque, and we were assured that it was a general belief among the Mohammedans here, that whoever could pass through these pillars unhurt, was destined for heaven, and whoever could not, might prepare either to reduce his bulk, or expect a worse fate in hell. The pieces forming the shaft are united by a layer of melted lead used as a cement, and now visible.

"This is another instance to add to the several others already enumerated in the 'Travels in Palestine,' of the prevalence of a notion, probably founded on a literal interpretation of what must have meant in a figurative sense by Christ, who says, 'Straight is the gate and narrow is the way which leadeth unto life, and few there be that find it.' Mat. vii. 14. But the notion is not exclusively christian: it appears to be common to all religions.

"It may not be unworthy of remark, that in Ezra, all the dwellings of the christians are marked

with the emblem of their faith on the portals of their doors, as if for the guidance of some destroying angel that they expected to pass through their town, and spare those whose dwellings were so distinguished, as among the children of Israel of old.

"In the stony district of Ledjah, which begins about here, and extends from hence to the northward and eastward, are said to be 366 ruined towns, and a sea (bahr) of of inscriptions. These expressions, which are quite suited to the exaggerating taste of an Arab, only mean, however, that there are a great number of each. In the same manner I was assured by one of our party, who had been in Egypt, that in Belled Massr were 366 districts, and in each district 366 peopled towns; to which he added, that having seen Englishmen there, he learnt that they had always 366 suits of clothes, or one for every day in the year: an impression, no doubt, occasioned by the frequent changes of garments among the English, a practice almost wholly unknown among the Arabs, who after they put on a new garment rarely leave it off till it is worn out and finally done with. The people of the Hauran, generally, and those residing on its eastern border more particularly, never having seen the sea, are struck with wonder and admiration at descriptions of large ships and the details of a sea life. Even here, however, they are not satisfied with bare facts, however surprising these may be, but constantly endeavour to engraft on these, something of a more exaggerated nature, so powerful is their passion for the marvellous. As an illustration of this, when asked by one

of our party what was the greatest number of cannon I had ever seen mounted in one ship, and replying 120, my guide, the Mallim Georgia, insisted that I was far below the mark, declaring most solemnly that he had, with his own eyes, seen 200 pieces of cannon discharged from one side only of Sir Sydney Smith's ship at Acre, and 200 from the other side at the same instant of time! He also asserted that Mohammed Ali, the pasha of Egypt, had lately sent from that country to the Hedjaz, in Arabia, 100 karat of soldiers, each karat being 100,000! supporting his assertions with the most solemn declarations of their truth. This feature of exaggeration, an inseparable companion of ignorance, is prevalent among all classes, and can only be cured by increased information diffused among the community generally, to enable them to distinguish truth from falsehood."

From Ezra to Damascus the itinerary presents nothing remarkable. At the convent of catholic christians here, the traveller was most hospitably received. He tells us that, after riding through a single street for half an hour, and then turning through others for as long a space, he was kindly welcomed by the president, a native of Spain; and he adds,

"While a supper of fresh fish was preparing, a suit of clean garments was brought to me from one of the christian merchants residing near the convent, and I enjoyed a pleasure not to be described in throwing off clothes which had never been changed for thirty days, though sleeping almost constantly on the bare ground. Neither was my pleasure less in devouring

vouring with a zest almost unknown before, the fresh fish, soft bread, and excellent wine of Lebanon set before me for my evening repast. An excellent apartment was given up to my exclusive use, containing a good bed, a sofa, table, chairs, and drawers, with a dressing-room and closet adjoining, and a window opening into a paved court below, in which was a fine clear fountain and several orange trees, besides a passage leading to an open terrace, whereon I might uninterruptedly enjoy the morning and evening air. I had scarcely ever before enjoyed so sudden and complete a transition from all the sufferings and privations of a barbarous and almost savage mode of life to the pleasures and abundance of a civilized and social state of existence. I was, indeed, so deeply impressed with the feeling of enjoyment, that it absorbed all other considerations, except the wish that I could surround myself with those friends who were dearest to me in the world, and live with them in peace and retirement at Damascus for ever.

6. *A Picture of Greece in 1825: being the Journals of James Emerson, Esq., Count Pecchio, and W. H. Humphreys, Esq.; written during their recent visits to that Country.*

"Trade seems totally destroyed at Napoli: before 1821, it was the depôt of all the produce of Greece, and carried on a most extensive commerce in sponges, silk, oil, wax, and wines; it now possesses merely a little traffic in the importation of the necessaries of life. The shops, like those of Tripolizza, are crowded with arms and

wearing apparel, and the inhabitants all carry either the Frank or Albanian armed costume. The climate is bad, and the place has been frequently ravaged by the plague, which, in one instance, towards the latter end of the last century, reduced the population from 8 to 2000.

"The unusual filth of the streets, and its situation, at the foot of a steep hill, which prevents the air from having full play to carry the effluvia arising from it, together with the habitual dirty habits of an overstocked population, constantly attracted round the seat of the government, subject it to almost continual epidemic fevers; which, both in the last winter, and at this moment, have committed dreadful ravages. Its climate is, in fact, at all times thick and unhealthy, and far inferior to that of Athens, or of many of the towns in the interior of the Morea. . . .

"On walking out of the gates towards the Palamede, I was struck with a spectacle which I did not expect to have met with in a country possessing the religion and professing the charity of christians. In the outer passes of the fortification, lay the bodies of two Arabs, putrifying under a burning sun, and within one hundred yards of the inhabited part of the town; the religion or prejudices of the Greeks not even permitting them to cast a little earth over the bones of their infidel enemies:—such is one of the many thoughtless causes of the unhealthy climate of Napoli di Romania. Such instances show the wide field for the friendly exertions of their fellow christians, in the amelioration of the degraded character of the Greeks; and show but too clearly the malignity of a

war where vengeance does not even cease with life; whilst they prove the utter impossibility of any accommodation between the two nations, or of ever again uniting them under the same government, whilst such a repulsive hatred breathes in either breast.

.... "Perhaps the most singular character amongst all the Greek legislators is the minister of the interior. His name is Gregorius Flessa, by profession a priest; and having, in the early part of his life, been steward of a monastery, (*δικαιος*) he is now generally known by the two names of Gregorius Dikaïos, and Pappa Flessa. A naturally vicious disposition had early given him a distaste for his profession, and, on the commencement of the revolution, he joined the standard of his country as a military volunteer. Having manifested his bravery on many occasions, he was at length promoted to a command, and in several actions conducted himself with distinguished courage. He now totally abandoned the mitre and the robe for the more congenial employments of the army and the state; and, at length, after a series of active and valuable services, he was appointed by the government to be minister of the interior. Here, with ample means, he gave unbridled license to his natural disposition. His only virtue is an uncorrupted patriotism, which has all along marked his character, and has gained him the confidence of the government, whilst they despise its possessor. Such a character, though in an office of trust, is by no means a popular man. The scandal which the open commission of the most glaring immoralities has brought

upon his original profession, has entailed upon him the contempt of all parties, though his diplomatic abilities, if artifice and cunning may deserve that name, added to his patriotism and bravery, have secured him the good will of the government.

"Of the minister of justice, Teotochi, little more is known, than that he was obliged to abscond from the Ionian islands, for some fraudulent practices. The name of the minister of the police I have never heard, and from the abominable filth of the city, and the dilapidated condition of its streets, I fancy the office must be a sinecure.

*10th April, (Sunday).—*To-day being the festival of Easter, Napoli presented a novel appearance, viz. a clean one. This feast, as the most important in the Greek church, is observed with particular rejoicings and respect. Lent having ceased, the ovens were crowded with the preparations for banqueting. Yesterday, every street was reeking with the blood of lambs and goats; and to-day, every house was fragrant with odours of pies and baked meats. All the inhabitants, in festival array, were hurrying along to pay their visits and receive their congratulations: every one, as he met his friend, saluted him with a kiss on each side of his face, and repeated the words, *Χριστός ανεστη* 'Christ is risen.' The day was spent in rejoicings in every quarter; the guns were fired from the batteries, and every moment the echoes of the Palamede were replying to the incessant reports of the pistols and tophaits of the soldiery. On these occasions the Greeks (whether from laziness to extract the

ball, or for the purpose of making a louder report, I know not) always discharge their arms with a bullet: frequent accidents are the consequence. To-day, one poor fellow was shot dead in his window, and a second severely wounded by one of these random shots. In the evening a grand ceremony took place in the square: all the members of the government, after attending divine service in the church of St. George, met opposite the residence of the executive body; the legislative, as being the most numerous, took their places in a line, and the executive passing along them from right to left, kissing commenced with great vigour, the latter body embracing the former with all fervour and affection. Amongst such an intriguing factious senate as the Greek legislation, it requires little calculation to divine that the greater portion of these salutations were Judas's kisses."

The notices of Hydra and the Greek fleets are well worthy of attention.

Hydra, Saturday, May 21st.—Three fire-ships, which have been lately fitted up, were this morning to sail to join the squadron, which is now cruising off Cape Matapan. Anxious to see something of the economy and management of the celebrated Greek fleet, I accepted the offer of one of their captains, to conduct me to the ship of Miaulis, for whom I was furnished with letters from his family. Before starting, I obtained permission from the government of Hydra, to visit the rebel chiefs confined on the island. They have lately been brought down from their residence in the lofty monastery to a house in the town, where they

are confined under the care of a guard of Roumeliots.

"The generality of them exhibit nothing peculiar in their appearance, being, like the rest of their countrymen, wild, savage-looking soldiers, clad in tarnished embroidered vests, and dirty juncatanellas. Colocotroni was, however, easily distinguished from the rest by his particularly savage and uncultivated air: his person is low, but built like a Hercules, and his short bull-neck was surmounted by a head rather larger than proportion warranted; which, with its shaggy eye-brows, dark mustachios, unshorn beard, and raven hair falling in curls over his shoulders, formed a complete study for a painter.

"He had formerly been in the service of the English, in the Ionian islands, as a serjeant of guards; and spoke with peculiar pride of his acquaintance with several British officers. By some circumstance he had become acquainted with the character of Sir Hudson Lowe, and took occasion to speak of him, not in the most flattering terms of eulogy. He was in high spirits at the prospect of his liberation; a measure which is not, as yet, abandoned; his ideas of the state of the war, and his means of liberating the country, were, however, rather wild. He totally discountenanced the organizing of regular troops, a measure which, he said, could never be successfully accomplished in Greece; since, not only the prejudices, but the inclination of a people strongly attached to their own customs, were opposed to it. His plan was, in the first place, by the most vigorous measures (which he declared at length) to dispossess

the enemy of the few holds which they still retained in the country, and regularly as they should fall into the hands of the government to destroy every fortress, preserving only one of the most important, which was to be kept as the residence of the senate. By this means the enemy were to be deprived of all power of remaining, or retaining any position in the country; whilst the Klefts and their followers, as heretofore, would still be able to hold the mountains, and rout every force which could successively be sent against them. On objecting, however, that this means of retaining the country would be a dead weight on the progress of civil improvement, he said, that political security was first to be attended to, and civilization would follow in time; that this would make the nation warriors, and serve to maintain their dauntless spirit in its native vigour. Tactics might render them Frank soldiers, but this would retain them Greeks. He seems very confident of his ability to drive out the Egyptians, if only set at liberty, and again placed at the head of his Arcadians.

Mr. E. states—"Having this morning removed, with Count Gamba, to apartments assigned us by the government in the palace of the late Pacha, we had, shortly after a visit from an old Roumeliot, Captain Demetrius, who had been attached to Lord Byron. On seeing Gamba, he embraced him with sincere affection; and immediately, on mentioning Byron, burst into tears, saying, that in him he had lost a father, and Greece her truest friend. His language, in speaking of him, was at once feeling and poetical. In describing

the hopes which Byron's fame had created in the heart of the Greeks, he said, that as soon as they understood that a great English effendi was coming to assist them, they awaited his arrival like young swallows for their mother; 'and he came, and he gave his counsels, and his fortune, and his life; and when he died, we felt like men suddenly struck with blindness, when the only thing that could equal our sorrow for his loss, was our perplexity for the future.'

"Such are universally the terms in which I have heard Byron mentioned, which proves that the Greeks have, at least, the merit of thankfulness to their benefactors; though their enemies will say that, on this occasion, their regret arises rather from disappointment than from gratitude."

What their character is in another respect we are grieved to show by the two following quotations:—

"It was late on the night of the 5th instant, (says our author, while relating the circumstances of his cruise with the Greek fleet) that we came to anchor at Milo, and six days elapsed ere we again sailed for Candia. This annoying delay was occasioned, partly by two days of stormy weather, but chiefly by the indolence and ill conduct of the seamen, who, once on shore, and freed from any restraint, were in no hurry to return to their respective vessels, but remained on the island; where they committed such excesses, that complaints were daily reaching the admiral, and on the night before we started, a large demand was made by some unfortunate shopkeepers of the town, for the injury sustained by the pillage of their goods.

Another circumstance occurred during

during our stay, which, while it strongly depicts the ferocious character of the Hydriots, inherent to their Albanian blood, and their invincible hatred to the Turks, may serve also as an instance of the anarchy and insubordination of the captains.

"Zacca's ship, whilst cruising off Candia, had overhauled a French brig sailing from one port of the island to another, on board which they found three Turks, with a little Greek boy, who had been made a slave to one of the party. They were instantly made prisoners, and their property divided amongst the crew; whilst they were brought on board Zacca's ship to Milo. On Sunday morning the captain came on board Miaulis' brig, and, calling me aside, told me he had got a treat for me; that, at twelve o'clock, he meant to take his prisoners ashore, and put them to death, and, if I chose, I might make one of the party in this execution. I immediately declared my abhorrence and detestation of such a proceeding, and urged every argument to induce him to spare their lives, at least till condemned by the government at Hydra: my words, however, were of no avail, and only served to irritate him, by my attempting, as he said, to interfere in his right to treat his prisoners as he pleased.

"I then applied to the admiral, who declared his disapprobation of such barbarous proceedings, and his determination to prevent it. He, accordingly, spoke to Zacca, and ordered him to desist from his savage intention. Zacca made some hasty reply, and, after finishing his business on board, returned to his own ship. Confident that

their lives were to be spared, I accompanied Miaulis' secretary when he went, by the admiral's orders, to interrogate the prisoners as to the state of their country. They consisted of a venerable-looking old man, at least sixty years of age, and with a snowy beard flowing on his breast; the others, a young man of ordinary appearance, and an Albanian of immense stature and commanding air. They declared that they were merchants, as their goods would prove, and were proceeding on their affairs, from Candia to Suda, at the time they were captured.

"On announcing to them that they were to be sent to Napoli, and not massacred immediately, as the sailors had intimated, the poor creatures could scarcely express their joy; and would have kissed my feet in their transport. Zacca did not make his appearance, and we immediately afterwards went on shore. The following morning I received a note from Mr. Allen, the American gentleman who had been in Psamado's ship at Navarino, and was now on board the same vessel with the prisoners. It was to inform me that shortly after our departure, Zacca came upon deck, and gave orders for the execution of the Turks: which was performed in the most savage manner. They first bound the poor wretches to the mast, and beat them to mummy with knotted ropes; then slinging them over the side, so as not to soil the decks, stabbed them to death from the boats,—the conduct of the sailors and captain, during the whole affair, being too diabolical for description.

"On its coming to Miaulis' ears, he immediately gave the business

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an investigation; which, however, ended in the sailors declaring that they had been ordered by the captain, and the captain that he could not restrain the fury of the sailors, their indignation being roused by the representations of the little slave, who informed them of the cruelties inflicted on his parents by the Albanian, and the inhuman treatment he had himself received afterwards. With no powers of punishment vested in him, Miaulis could only censure, in the strongest terms, the disgraceful conduct of the crew, and make a report to Hydra of the disobedience and cruelty of the captain."

But this event sinks into nothing before the subjoined horrible account.

"(*Hydra.*) *June 25th.*—I have, this day, been witness to a scene of slaughter, in Hydra, which must ever remain a stain upon the character of its inhabitants; and, at the recollection of which, I yet shudder with involuntary horror.

"I had made an agreement with the owner of a caïque, which was to sail for Napoli di Romania in the evening; and accordingly, at four o'clock, I walked down to the Marino, and had my portmanteau stowed on board the boat, which was to get under weigh almost immediately. In the meantime I sat down with Mr. Masson, Canaris, and a few Hydriots, on the balcony of a coffee-house, to await the arrival of the Karavikyrios. Whilst here, a brig arrived from the fleet, and entered the harbour with a fair wind. It brought the disastrous intelligence, that the ship of Captain Athanasius Kreisi had been blown up a few days before, in the midst of

the fleet at Vathico; and himself, his brother; and sixty seamen destroyed. It appeared, from the evidence of one of the sailors who escaped with life, that the captain was that day to have had a few other commanders of the fleet to dinner; and, in the hurry of his preparation, had struck a refractory Turkish slave, who had been for some time on board. The wretch immediately went below, and, in his thirst for vengeance, set fire to the powder-magazine, and blew up himself, his captain, and ship-mates.

"There is, perhaps, no spot in the world, where the ties of blood and clanship have more closely united the inhabitants, than at Hydra: and the sensation produced by this event may be readily conceived, when it is considered, that every individual thus destroyed was connected intimately with almost the whole population, by birth, marriage, or the bonds of friendship; and that, as the officers and crew of every ship are almost invariably related to each other, in a nearer or more remote degree, a whole family, and that one of the most distinguished, was thus, at a blow, eradicated from the midst of the community.

"The news spread instantly, from end to end of the Marino; and seemed to produce an extraordinary sensation. In a few moments, from the balcony where I sat, my attention was attracted by the unusual commotion of the crowd below, which now consisted of 4 or 5000. They kept rushing backward and forward, but always tending towards the door of a monastery close by me; one apartment of which served for the office of the Marino, and another for the prison,

prison, in which were confined a large number of Turkish captives. I asked a Hydriot, who sat beside me, what was the meaning of the commotion in the crowd; he replied with little emotion, 'perhaps going to kill a Turk.' His words were scarcely uttered, when the door of the monastery, not twenty paces from me, was burst open, and a crowd rushed out, forcing before them a young Turk, of extremely fine appearance; tall, athletic, and well-formed. But I shall never forget the expression of his countenance at this awful moment. He was driven out almost naked, with the exception of a pair of trowsers,—his hands held behind his back,—his head thrust forwards,—and a hell of horror seemed depicted in his face. He made but one step over the threshold, when a hundred ataghans were planted in his body. He staggered forward, and fell, a shapeless mass of blood and bowels, surrounded by a crowd of his enraged executioners, each eager to smear his knife with the blood of his victim. By this time, another wretch was dragged forward, and shared the same fate: another, and another followed, whilst I was obliged to remain a horrified spectator of the massacre; as the defenceless wretches were butchered almost at the foot of the stairs by which I must have descended, in order to make my escape. Each was, in turn, driven beyond the door, and got a short run through the crowd, and fell piecemeal, till, at length, his carcass lost all form of humanity, beneath the knives of his enemies. Some few died bravely, never attempting to escape, but falling on the spot, where they received

the first thrust of the ataghans: other weaker wretches made an effort to reach the sea, through the crowd, but sunk down beneath a thousand stabs, screaming for mercy, and covering their faces with their gory hands.

"In the meantime, I had got within the café, and closed the door and windows; within, were a few of the young primates, who were sinking with shame and horror for the actions of their countrymen; and the noble Canaris was lying on a bench, drowned in tears. Here I remained for some time; till, taking advantage of a momentary pause in the scene below, I rushed down stairs, and escaped by a bye-path to my lodgings. During the whole course of the evening, the work of slaughter continued: after butchering every inmate of the prison, they brought out every slave from the houses, and from on board the ships in the harbour, and put all to death on the shore. During the course of the evening, upwards of 200 wretches were thus sacrificed to the fury of the mob; and, at length, wearied with blood, they dragged them down to the beach; and, stowing their carcasses in boats, carried them round to the other side of the island, and flung them into the sea, where numbers of them were floating some days after, when Captain Spencer passed with the *Naiad*. During the continuance of all this scene, which lasted for many hours, no attempt was made by the primates to check the fury of the crowd. Perhaps they were aware of their inability; but it is little to their honour that they did not, at least make an effort. Some days after, on speaking of the transaction,

transaction, they merely said it was a disgraceful occurrence, and they were sorry it had happened; but that, in fact, they had no means of keeping prisoners of war: thus indirectly admitting the justice of the deed, nor even attempting to excuse their own non-interference. With the lower orders, there never appeared any symptom of remorse. Those who had been the perpetrators of the deed, were never censured; nor was any investigation made of the affair; on the contrary, they walked about the streets as much applauded, and as highly esteemed, as if they had achieved some meritorious services: whilst those who had not participated in the murder spoke of it with complacency, and even approval. Some few of the sons of the primates were the only part of the population who seemed aware of the enormity of the deed; and, whilst they condemned the conduct of their countrymen, they lamented deeply that such an example of applauded murder should be set to their children.

"It happened, unfortunately, that no European ships were at Hydra at the moment; as their interference might have prevented this deed of shame. The story was, however, kept very secret: it was scarcely known, for some time, at Napoli di Romania; and an English gentleman was the first to inform Captain Hamilton, of the Cambrian, of it, several days after, though he had been lying at Napoli during the occurrence. Captain Hamilton immediately sent off a vessel of war to Spezzia and Hydra, with orders to take on board any other slaves or captives who might have been spared, since the inhabitants did

not know how to treat their prisoners."

Of the dissensions among the principal Greeks the public has heard much, but we were not aware of the treacherous and bloody extent to which they were carried. The murder of the distinguished Chief of Livadia, Ulysses; and the attempt to assassinate Mr. Trelawney, who had married his sister, and, after his capture, maintained possession of his extraordinary cave, on Mount Parnassus, will somewhat elucidate these points.

The death of Ulysses is thus described by Mr. Emerson:

"A boat from Athens, has this morning brought the news of the death of Ulysses, which had occurred some days before. The unfortunate chieftain had been confined, since his capture, in the lofty Venetian tower on the Acropolis. The story circulated is, that he had attempted to make his escape by a rope, which broke in his descent; and he was dashed to pieces on the pavement at the base of the tower. But there are so many circumstances to confute the probability of this, that there can be no doubt that he has been secretly put to death by order of the government, and this story feigned, to cover their own imbecility in not daring openly to condemn, or bring to trial, a man whom they still dreaded, and of whose guilt they were unable to produce convicting proofs. In the first place, the soldier who had the means of bringing to him such a length of rope, as would be sufficient to lower him a height of sixty or seventy feet, could as readily have facilitated his escape by the ordinary means; and, secondly,

condly, Ulysses would not have been so unwise as to attempt an escape where this first and to him fatal step was by far the easiest ; as, even if he gained the ground in safety, he had still the guards to elude, and two strong gates and several walls to scale, before he could reach the edge of the precipice, on which the citadel stands ; and which opposes a much more effective and terrific barrier to his further escape, than the height of the Venetian tower. However, his race is run ; and the favourite *élève* of Ali Pacha, and subsequent lord of Livadia, now lies a dishonoured and branded traitor, in an obscure spot at the base of the Acropolis."

Of the attempt on Mr. Trelawney, it is told :

" On the surrender of the unfortunate chieftain, (Ulysses,) he had retired to the cave on Mount Parnassus, which was still occupied by Ulysses' family, and a few of his most faithful adherents : and here, in a fortress impregnable by nature, they continued to hold out against the soldiers of Goura, who still occupied the country in the vicinity of Parnassus.

" Amongst the inmates of the cavern was one Mr. Fenton, a native of Scotland ; who had arrived, a mere adventurer in Greece, last winter, when, during his intercourse with the European residents in the Morea, he had proved himself totally divested of every principle or feeling of a gentleman. He had even stooped so low as to offer himself to a person in power as the assassin of Ulysses, for a remuneration of a few dollars ; I believe not more than sixty. The proposal had been

accepted, but a disagreement in the terms, or some other circumstance, had prevented its execution. The publicity which Fenton had given to the depravity of his character, among his countrymen, rendering his residence with the Europeans impossible, an order from the government to leave Napoli di Romania determined him on joining the party of the very man whom he had offered to assassinate, and to whom his quarrel with the government was a sufficient recommendation. He was accordingly received among the inmates of the cave, where Mr. Trelawney, almost totally separated from intercourse with his countrymen, was not aware of his despicable character. After the surrender of Ulysses, he had remained in the same situation ; rather, however, as the dependant, than the companion of Trelawney, till, on the death of the chieftain, he formed the desperate resolution of making himself master of the cave and its contents, which, by previous contract, were now the property of his benefactor. A few days before he made the attempt, the cave was visited by a young English gentleman, whose youth (nineteen) and romantic spirit [*very romantic !*] were easily prevailed on by Fenton to become his accomplice, under a promise that, if successful, he should be made a prince of Livadia. It was in the latter end of June, (about the 25th,) that this young Englishman arrived at the cavern ; and four days after, Fenton proposed to him, after dinner, that they should fire at a target, whilst Trelawney stood umpire. As soon as Trelawney unsuspectingly advanced to examine their first shots,

shots, the conspirators both made their attempt at the same moment. Fenton's pistol missed fire; but the young Englishman's took effect with two balls; one of which, entering his back, passed out of his breast, and broke his right arm; whilst the second entered his neck, and, in its passage, shattered his jaw-bone. He fell immediately; but his attendants, alarmed at the reports of the pistols, rushed forward, and instantly poignarded Fenton, who died upon the spot. They then, by the direction of Trelawney, who still breathed, placed the Englishman in irons, at the recess of the cave. Totally deprived of the assistance of a surgeon, Trelawney's recovery was long doubtful; but nature at length prevailed.*

"Let us (says Mr. E. very justly) compare all that has been urged to the disadvantage of the miserable Greeks, with the causes that have produced their degradation; and the result must be, not hatred and abuse, but pity, mingled with astonishment that they are not a thousandfold more perverted than we find them. Far, however, from coinciding with this sweeping condemnation of the race *en masse*, I will maintain that on examination of the traits of character peculiar to each district, we shall find the seeds of numerous virtues, however slightly developed, still discernible under a mass of vices; and which, when properly cultivated, under an equi-

table government, cannot fail to raise the Greeks high in the scale of nations.

"By their southern neighbours, the Albanians have long ceased to be considered either Mussulmans or Greeks; their submission to Mahomet the Second, and subsequent embracing of Islamism, would naturally stamp them the former, whilst their country and warlike habits bear no resemblance to the luxurious, sedentary habits of the Turks. They may, in fact, be considered as the connecting link of the two religions, imbued with all the treachery and duplicity of the followers of Mahomet, but still retaining the spirit of hospitality, bravery, and minor virtues of the Greeks. To those succeed the Roumeliots, the inhabitants of what is now termed Eastern and Western Greece, comprising Attica, Livadia, and the territory south of Epirus and Thessaly: still mindful of their contests for freedom and religion, under their immortal Scanderbeg, they cling closely to that faith for which their fathers bled. And, though subject to the galling yoke of the Ottoman, they have still enjoyed a comparative freedom, amidst their rocks and mountains: nor have they ever submitted to enslave their souls by a base concession to his creed. Brave, open-hearted, and sincere, their valour is their slightest recommendation; and the traveller who has claimed their hospitality, or the wretch who has thrown himself on their

* Mr. T. was afterwards, though with difficulty, rescued from Gaura, by the Sparrowhawk, Captain Stewart, and safely landed at Smyrna. "Before his departure from the cavern, he had generously set the Englishman at liberty, in consideration of his youth, and from a regard for the feelings of his family, who are stated to be of the first respectability."

protection, has ever met with succour and security, beneath the arm of the Roumeliot Klefti.

"In the Morea, a closer connexion with the Turks, and various minor causes, have produced a character less amiable and exalted. The greater weight of their chains has rendered them crouching and servile; and no where are the traces of slavery more visible, or more disgusting, than in the cringing, treacherous, low-spirited Moreot; who is, nevertheless, not totally divested of affection, gratitude, and a hospitable wish to share his mat and humble meal with the stranger. In the Messenians, or natives of the south-western coast, the traits of debasement are peculiarly perceptible. It would appear that, from the earliest period, these unfortunate people had been doomed to be the scape-goats of the Peloponnesus, formerly ravaged by the Lacedæmonians. They have, in latter times, fled to the mountains of Sparta, for protection from the Turks. Slothful and indolent by nature, they treat their wives with a want of feeling unequalled in Greece: and, while the sluggish master squats at his ease, to smoke his pipe and sip his coffee, the unfortunate females perform all the drudgery of agriculture, and all the weightier domestic duties. Two singular exceptions are, however, to be found in the Morea; the inhabitants of the district of Lalla, in Elis, and those of Maina, in the south-eastern promontory. The former are a colony of the Schypetan, or bandit peasantry,

of Albania; who, for many ages, have been settled in this spot, and, during the reign of the Venetians, rendered them important service against the Turks: but in general were as prejudicial to the Greeks as the Mussulmans. After the failure of the Russian expedition in 1770, they were joined by a fresh party of their countrymen, who had likewise abjured Mohammedanism; and, though they turned their attention in some degree to agriculture, were principally maintained by their ravages on the properties and crops of their neighbours; with whom they never mingled, either in marriage, or even in common interest. Thus, to the present hour, they have lived a pure Albanian colony in the very heart of the Morea; retaining all the ferocity and predatory habits of their forefathers, and a valour which has been often conspicuously proved in the scenes of the present revolution.

"Of the Mainotes, the descendants of the ancient Spartans, much has been written, and yet but little is known; the difficulty of penetrating into a country inhabited by a bandit peasantry, pirates by profession, has opposed an insuperable bar to the investigation of travellers. Those, however, who have succeeded in becoming acquainted with their habits, represent them as possessed of the common virtue of barbarians—hospitality, and an unconquered bravery; but disgraced by numerous vices; and all, without exception, robbers by sea or land."*

* Of their internal disputes, the following story is still related in the islands:—Two Mainotes, who had long shared, in common, the produce of their plunderings, chanced at length to quarrel about the division of the booty of a Venetian brig. Burning with resentment, both dreamed but of mutual vengeance; and one, (Theodore), seizing on

"As to the Grecian army, the habits of the body who compose it, and the system by which it is regulated, are equally singular. Its commanders or capatani are such landholders, or others who possess a sufficient sum to maintain from 10 to 150 soldiers, and adequate interest to procure a commission for embodying them. These leaders, however, are in general the most despicable and the worst enemies of their country; making their rank and interest merely the instruments of their avarice. The number of troops in the Morea, for whom the government issue pay and rations, is stated to be, in general, about 25,000; but I do not believe, from all that I can learn, that in any instance they have equalled the half of that number; the capitani making their returns to the extent of their credit, and in general pocketing one-half of the demanded sum. So that a man who claims pay for 150 soldiers, cannot, perhaps, bring 80 into the field. Of this system of fraud the government are well aware; but, in the present state of affairs, they are so much in the power of the capitani, that no compulsive measures *dare* to be taken to produce a reform. Each sol-

dier, or palikari, on joining his capitani is expected to come furnished with his arms and capote: the former usually consist of a pair of pistols, an ataghan, a tophaic, or long gun, and sometimes a sabre. They are, however, bound by no laws or military regulations, and merely follow or obey a leader, as long as well paid or comfortable in his service; he having no power to enforce obedience during his almost nominal command, or to compel his soldiers, beyond the limit of their pleasure, to remain under his orders. It is no unusual thing for the company of a capitani to assemble round his quarters, for the purpose of tumultuously demanding, and enforcing by the bastinado, an increase or arrears of pay; or, on the eve of an important movement, to find that his soldiers have gone off during the night, to attend to the safety of their families, or the celebration of a festival. As to their conduct in the field, they will never oppose an enemy, unless obliged by necessity, without the shelter of their tambours or low trenches; or without crouching behind a rock, from whence they can have a protected aim at their foe. The Turks too, have something of the same system in

the wife of his companion, (Anapleottis), carried her on board a Maltese corsair, stationed in the bay, for the purpose of selling her, to make up his defective share of the plunder. The Maltese, after long intreaty on the part of the Greek, refused to purchase her at so high a price, as, he said, that he had just procured another at a much cheaper rate; whom, at the request of Theodore, he produced for his inspection. She was brought forward, and, to the confusion of the Mainote, proved to be his own wife, his accomplice having anticipated him, and disposed of his spouse two hours before. He, however, concealed his chagrin, and gave Anapleotti's wife for the proffered price of the Maltese, and returned on shore; where he met his quondam ally, apprised of his loss, and thirsting for vengeance. The worthy friends were not long, however, in coming to an understanding. Without arousing suspicion, they went together on board the Maltese, and, without much ceremony, forced him to restore the wives of both. This complied with, and satisfied with their mutual revenge, which had proved a mutual gain, they again returned; and, as firmly united as ever, continued, in common, their former desperate calling.

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their irregular warfare; and before the introduction of regular troops into the Morea, a battle must have presented a novel spectacle, where not a soul of either army was distinctly visible. Thus, screened behind a stone, they lie in wait to catch the first moment when an enemy shall expose himself, or placing their scalpæ, or skull-cap, on an adjoining rock to decoy the Turk, take an advantageous aim at him whilst he is wasting his powder on the empty head-dress of his enemy. When the Greek has thus thinned all within his range, and wishes to change his position, he watches for the favourable movement, when, snatching up his gun, he nimbly skips to the adjoining rock, flashing his shining ataghan before him in the sun-beams, to dazzle the aim of his surrounding enemies; and here, crouching on the ground and placing his cap as usual, he recommences his operations. Amongst the Turks who resided in the Morea, all were not so desperately bad as are supposed, and some few have even gained the affections of the Greeks. It not unfrequently occurs that two old neighbours meet in one of those singular encounters, when, rising from their screens, they hold a parley on their own affairs; and again part to resume, at their posts, their mutual slaughter of their friend's companions. Such scenes serve to keep in countenance Homer's description of the dialogues of his contending heroes; but, in fact, instances of ancient manners are to be met with every hour, and at every step something occurs to remind us that we are in Greece."

The discipline of the navy, and

money-making system of most of its commanders, are exactly similar to those of the army, in which there are about *three hundred speculating generals*, and from 12 to 15,000 men!!!

Of the moral condition of Greece, in a most important relation, we select the following example. Mr. E. writes as follows:—

"In the beauty of the Grecian females I must confess that I have been disappointed: they have beautiful black hair, sparkling eyes, and ivory teeth, but they seem to have lost the graceful cast of countenance which we denominate Grecian; and their figures are peculiarly clumsy, occasioned by their sedentary habits and slight attention to dress: a delicate and even sickly air, and an inanimate expression, seem their most striking characteristics; these, however, differ in various districts. The Moreot ladies are far inferior in personal attractions to the Roumeliots; who again yield the palm to the Hydriots and Speszriots: these are in turn excelled by the Sciots; and the Smirmiots, by their more civilized manners and graceful dress, are much more beautiful than all the others. Their costume varies in point of richness and fashion in every island, but is always tastelessly large, and by no means calculated to display a good figure. With the exception of Hydra and the Ionian Isles, their husbands have nothing swerved from the barbarous customs of the Turks in the treatment of their women. Secluded in their own apartments, occupied in embroidery, or other mechanical employment, they are never allowed to cross their thresholds except on festivals, or some other particular

particular occasion; and even then as if it were by stealth; and closely veiled. Under these circumstances, however, the buoyancy and lightness of their spirits are displayed to peculiar advantage: continually gay and never repining, their days pass in a round of trifles; singing, music, and a few amusements, in which the male part of the family have no share, serving to wile away the tedious hours of their monotonous existence. Like the men, they are strongly influenced by superstition, and no undertaking, either before or after marriage, is entered on without consulting a charm or a fortune-teller. Dreams and their interpretations are rigidly attended to, and faithfully followed. For the purpose of ascertaining the quality of their future husbands, the young girls are accustomed to perform numerous ceremonies; one is to eat, just before retiring to rest, a supper composed of certain herbs, collected at a particular season, and under the direction of a skilful diviner; then, on laying down, to attach to their necks a bag containing three flowers, a white, a red, and a yellow. In the morning, whichever of these flowers is first drawn from the bag, denominates the age of the destined husband. If white, he is of course young; if red, middle-aged; and if yellow, old; whilst at the same time the dreams procured by the herbs, declare whether their days, during marriage, shall be happy or the reverse. In both sexes, the total want of personal cleanliness is peculiarly remarkable; a clean shirt on a Greek, being only to be met with on a festival; and his junctanella, instead of being the 'snowy camise' of Childe

Harold, is in general any thing but snowy. Of the ladies too, a French traveller has remarked, with some justice, that their linen, which is so frequently sprinkled with otto of roses, and other costly perfumes, would be much more benefited by an aspersion of clean water. Vermin, of the most nauseous description, are found in myriads on their persons, especially on those of the soldiers, and make but a sorry figure amongst the embroidery of their laced jackets.

"The degraded state into which we find religion sunk amongst the Greeks, is solely attributable to the infamous conduct and characters of the priesthood; for the population, though they but too closely imitate the practice of their pastors, still retain their veneration for their creed untainted."

7. *Journal of a Residence and Travels in Colombia, during the years 1823 and 1824. By Capt. C. Stuart Cochrane, R.N.*

The rising importance of South America to British capital, enterprise, and commerce, has often been alluded to. Captain Cochrane, a warm admirer of Colombia and its independence, appears to have gone out to survey its capabilities for increased intercourse, trade, and mining, pearl fishing, and other projects. His work touches upon several of these; and we hear a good deal, not only of pursuits which may be adopted, but of undertakings actually planned, appropriated, and commenced. Thus we are told of the congress of 1824,

"In the last sitting there was a law passed, granting the exclusive

sive right of the pearl fishery of Colombia, for ten years, to Messrs. Rundell, Bridge, and Rundell, of London, being the most valuable grant which the government has yet bestowed, and which I considered inferior to none, except the cutting the isthmus of Panama, so as to form a communication, by steam vessels, between the Atlantic and Pacific Oceans; which I have ascertained, from accurate survey, to be perfectly practicable, and have in consequence formed a company in Bogota, who are to lay before the ensuing congress proposals to that effect.

"Colonel Johnston, and Mr. Thompson, have jointly obtained a grant of the most famous salt mines of the country, which they intend working on the most improved European method. This will add considerably to the revenues of the state, and yield them, I trust, a handsome reward for their exertions."

Near Chiquinquera.—"We now used all our interest to procure good fresh mules, in order to visit the celebrated emerald mines of Muso, but could not succeed; we, however, were introduced to a very intelligent friar who had lately seen them, who informed us, that formerly, in the time of the Spaniards, they were most productive, and easily wrought, some being on the surface, and others worked by horizontal excavations; the chief mine worked in the latter manner had caught fire from not being properly ventilated; and continued burning for two years. This, together with the commencing of the revolution, put an end to the work of the mines. Small emeralds are so plentiful, that it is a common thing to purchase

poultry merely to kill them in search of emeralds, which they are fond of; several are often found in the entrails of a large fowl, and sometimes in a very pure and perfect state, though most generally flawed and very small, consequently of no intrinsic value, and only kept as curiosities. The very favourable account we received, determined us to endeavour to procure from the government a grant of the whole of the mines, and to have them immediately put in work. Senor Rivero and myself elected our friend Pepe Paris, from his influence with the government, to carry the same into effect."

.... "There is a still more desirable plan of uniting the two oceans through the Isthmus of Panama, where two rivers may be connected by a canal, cut through a level valley, about a league and a half. This junction would enable steam vessels to pass from the Atlantic to the Pacific Ocean;—and previously to quitting Bogota, I formed a plan for a company to be established in England for effecting this, which will be laid before the ensuing congress."

These, however, are only a few of the designs for settling agricultural districts; working gold, silver, copper, and platina mines; draining lakes, and other improvements which attracted his observation: there is hardly a point which he does not view as susceptible of being made to yield a prodigious increase of wealth to industry and proper cultivation. At first, one great drawback seems to exist: it is described in the

* "These mines have since been secured by my friend."

subjoined paragraph, though relating to a single traveller alone, at Bogota:—

“ Having some spare time, previous to the period at which I expected the vessel destined for the pearl fishery to arrive, I determined to employ it usefully, in regaining the sea-coast by the little frequented route of Chocó, instead of going by the more direct way of Maracaybo—hoping to develop some of the riches of the Andes. I was delayed some time by the difficulty of procuring money, no one being inclined to take bills either on Jamaica or London, not even at a large discount—thinking it quite in moderation to demand fifty per cent. discount. This state of things cannot, however, long continue, for some of the principal merchants appear desirous of fixing a regular rate of exchange; and I have no doubt but that when a new loan is raised in England, and public credit restored, money will be as easily procured for bills of exchange here as in any other part of the world.”

If this grievance applies so heavily to an individual, what must it do towards crippling the commerce of a country? We have only to add on these topics, before running systematically over the journal, that the mines are in general very poor in Colombia. Capt. C. speaks of one only, *Chocó*, as likely to prove productive: of this place his account follows:

“ From investigations I made, I found that the best mines of *Chocó* scarcely pay the working now; in consequence, they cannot defray the hire of free negroes, who demand six rials, or three shillings and three pence, per day.

As yet the mines have been worked entirely without machinery. They have not even a common pump to draw the water from the pits they make; and to remove a very large stone sometimes requires the whole force of many negroes for three weeks. Did they but know the use of gunpowder to blast the rocks; or had they but proper patent cranes for removing the pieces, and pumps for drawing off the water, the mines might be worked to much greater advantage; but there is not a man of capital in the whole province, who can enter into the expense, or afford to lay out his money for a year.

“ Platina is found with the gold, and is thus separated from it:— A quantity of water and quicksilver is thrown in with the gold-dust, and well mixed, until the whole appears like paste; it is then put into small moulds, and pressed down until it takes a consistent form, when it is turned out and placed in a red-hot iron grating, below which is a basin of water; over the grating is placed a large bowl so as to cover it. The quicksilver is expelled by the heat, and flies to the bowl, which is a species of retort. The platina falls into the water, and the gold remains in a firm state on the grating, and perfectly pure. The mines that are considered worth working, give two pounds of platina to six of gold. There are, however, many neglected mines, that give six and eight ounces of platina for two of gold. The government are now endeavouring to buy up all the platina, and having it sent to Bogotà, in order, as report states, to make a coinage of it. But as British merchants here offer eight or ten dollars a pound for it, about five

five-sixths are obtained by them, and smuggled to Jamaica. It is great impolicy that the congress does not entirely do away with the old Spanish system of monopoly; if they would put on a moderate duty, and allow the exportation of gold and platina, they would secure a handsome revenue from it; but as they entirely prohibit the exportation of these metals, the whole is smuggled to Jamaica, and at a moderate rate. No one will send gold-dust to any of the mints, because the government have several times seized what was sent, and only given promissory paper in return. The consequence is, that scarcely a pound of gold-dust remains in Colombia, and hardly a shilling is drawn from the mines of Chocó, towards the exigencies of the state."

Captain Cochrane's route from St. Marta to Bogotá, was chiefly up the river Magdalena, by Monpox and Honda, whence he crossed to the capital. From Bogotá he made several excursions to Leiva and other places; and when he finally left it, he changed his course, visited Purification, the mine of Apore, Ibagua, Novita, and descending the river Quito till it discharges itself, and the other rivers which unite with it, into the bay of Chocó, under the name of the Atrato. On his journey up to the capital, we find only three notices deserving of extract:

"March 25th.—Rose at daylight, and mounting our horses at seven o'clock, proceeded to Baranquilla, a small village about a league from Solidad, where we passed the day with Mr. Glenn, a merchant from Canada, who had been settled here eight years; a

very intelligent man, and apparently making a fair fortune. I received many useful hints from him; he was of opinion, that after three years' peace the trade of the country would nearly triple. He much approved the idea of steam-boats being introduced on the rivers, as a mode of conveyance which he was convinced would pay remarkably well."

At Solidad, on the following day—"In the evening there was a procession, which consisted of the cross, decorated with white scarves, and brilliantly illuminated with lamps; a large car followed, borne by fourteen men, having on it a figure intended as a representation of our Saviour, with his hands bound, and being scourged by a man dressed in the old Spanish costume, and another man as officer looking on."

The Spanish costume used here is a curious trait; but other religious ceremonies, afterwards described, are more characteristic of the manners of the people. Thus, on Good Friday, the 28th, the captain says—

"Went to church about eight o'clock in the evening with Colonel Rieux. The curate, a young man, preached with great energy, and violent gesticulations, in a singing tone. The majority of the audience was women, and the church so excessively crowded, that we could only obtain entrance through the vestry, and might be said to be behind the scenes. Hence we saw a figure, represented on a cross, and intended for our Saviour, which was veiled from the rest of the congregation by a dark curtain. The preacher having arrived at the proper part of his sermon, describing the agonies

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of

of Christ, stamped his feet, and at the second stamp the sombre veil fell from before the figure, whilst a discharge of cannon without announced the supposed convulsion of nature; and the apparently bleeding figure, surrounded by numerous lights, was suddenly exposed to the general gaze. The effect of all this performance was so successful, that many of the females shrieked and fainted. Shortly after, the figure was taken down and carried to a sepulchre, gaily adorned, and having the representation of a Roman sentinel sitting on the top. After the sermon, Colonel Rieux and myself walked into the body of the church, and were immediately presented with long wax tapers, intimating the necessity of joining the procession about to pass through the town, to which we did not object, as it afforded us the opportunity of seeing the whole population of the place, ranged on either side of the streets through which we passed. The beauty of the sex did not appear very conspicuous on this occasion. The procession was also

graced by the guard of the sepulchre, dressed in white jackets, blue trousers covered with black crape, and dark veils concealing the face. They had high conical caps with long feathers hanging over them, which only needed bells to complete the *tout ensemble*, and to afford a lively representation of Tom Fool's cap. They were armed with lances and swords. A man clothed in a white shroud was performing a penance, which consisted in keeping his arm extended as in the act of offering something contained in a glass, and intended to represent the nauseous liquor presented to our Saviour. I observed that he had a stick passing through his sleeve so as to support his arm. He, as well as the guards, marched backwards with a kind of pantomimic step."

Bogotá^a, owing to the long continuance of the war, is in a sad state—low in wealth, and even in common comforts, the public treasury drained, the male population exhausted, and the remaining inhabitants in a wretched plight. Still, however, there were fetes, feasts,

* We copy one or two anecdotes of Bolivar. "Bolivar is a good swimmer, an elegant dancer, and fond of music: he is a very pleasant companion at table; neither smokes nor takes snuff, nor does he ever taste spirits. He endeavours to check the flattery with which he is not unfrequently assailed. At a ball which he gave, a lady rendered herself very conspicuous by loading him with obsequious and importunately fulsome adulation. Bolivar at length said to her, in a mild but firm tone: 'Madam, I had previously been informed of your character, and now I perceive it myself. Believe me, a servile spirit recommends itself to no one, and in a lady is highly to be despised.'

"The following affords some highly characteristic traits:—At a magnificent public dinner given to Bolivar at Bogotá, one of the company, when called upon for a toast, gave—'Should at any time a monarchical government be established in Colombia, may the liberator, Simon Bolivar, be the emperor.' A high-spirited public character, Senor Pépe Paris, then requested permission to give a toast, which being acceded to, he filled his glass, and exclaiming—'Should Bolivar, at any future period, allow himself to be declared emperor, may his blood flow from his heart in the same manner as the wine now does from my glass,'—he poured the wine out of his glass upon the floor. Bolivar immediately sprang from his chair, ran to Senor Paris, and most warmly embracing him, exclaimed, 'If such feelings as those declared by this honourable man shall always animate the breasts of the sons of Colombia, her liberty and independence can never be in danger.'"—[The British volunteers who joined him, are now almost all dead: of four or five thousand men, not a hundred remain.]

bull-fights, tertulias, rejoicings. Of these we shall sketch a sample or two, as illustrative of what the author saw, and how he tells his story. Our first is a *Fete Dieu*.

"The procession is commenced by preposterous-sized figures of the animals of the country, made of pasteboard, and moved by men withinside. The alligator and galinazo make conspicuous figures, and contribute much to the entertainment of the mob,—the former opening its enormous jaws and pretending to bite any persons near, and the latter, (whose neck is made twelve feet long,) by means of springs, moves from side to side, making the by-standers scamper about for safety from the attacks of its sharp bill, which sometimes descends with violence on the head of a gaping spectator. Then follow children, strewing flowers before cars drawn by men, in one of which is David, with Goliath's head in his hand; in another Queen Esther: Joseph follows on a superbly caparisoned horse, attended by guards in Roman dresses. The performers in this pageant are all of the best families, and no expense is spared to deck them magnificently with jewels, silk, &c.; and much interest and exertion are made to secure a part in the procession.

"The clergy next advance, bearing the elevated host, at the sight of which all fall on their knees, and remain there until it has passed. Music follows, composed principally of violins and clarionets, playing church music. The prettiest girls of the city walk between two rows of the priests, some bearing vessels, others, offerings; some incense, others, flower baskets. Young

Indians follow, dancing to flute and tambour, and the whole is closed by soldiers, with their arms and colours reversed."

Our next quotation is a *feast* given by the vice-president.

"The troops having marched past, the vice-president led the way to a tent pitched on the review ground by the military officers. We there found refreshments of all kinds, and made an excellent luncheon, the vice-president cautioning us all the time not to eat too much, as we had duty in that way reserved for us both at General Urdineta's tent and his own. After drinking several complimentary toasts to the officers, we went, preceded by the military band, to General Urdineta's tent, where we found an elegant repast laid out, consisting chiefly of poultry, preserves, and sweatmeats. Champagne flew merrily round, and much good humour prevailed. At last the vice-president said we must go and partake of his fare. We accordingly removed to his tent, where beef and mutton were immediately served up to us in the style in which they are cooked by the Lláneros, natives of the plains of Capac and Apure. At the top of the table, before the vice-president, was placed a large dish of *Carne con Cuero*, which is beef with the hide on, the hair being cut off as closely as possible; at the bottom, before General Urdineta, was half a sheep, served up in the same manner; and at each corner of the table stood a soldier, with a tremendous long stake thrust through large ribs of beef.

"This method of serving up the top and bottom dishes is remarkably good; the hide, from roasting, contracts a little, so as

to serve as a dish for the meat, and prevent the gravy from escaping: you have then only to carve through the meat down to the skin, and cut it in slices, accompanied by the finest and richest gravy imaginable. I most particularly recommend this to the serious consideration of the aldermen of the city of London. The method of cooking the ribs is by no means bad; they are toasted over the fire, and every one cuts off what he requires; the soldier very politely thrusting the stake across the table with the pending rib, to any one whom he perceives in want of the delicacy under his charge. There are two other dishes peculiar to South America, which I recommend to all epicures, having proved and found them highly palatable. Take a whole sheep or lamb, and having killed the animal, cut the wool off as closely as possible, stuff it with turkeys, fowls, ducks, game, ham, vegetables, &c.; then sew the whole up, and bake it in an oven; when served up there are few who do not '*cut and come again*.' The other dish is a pig, dressed in a similar manner, having the hair scalded off.

"Notwithstanding we had eaten two luncheons previously, ample justice was done to the vice-president's feast; patriotic toasts flew round in rapid succession, and were answered by '*Vivas*' from the surrounding multitude."

The morals of the Bogotás are not reported on very favourably.

"We generally returned from our equestrian excursion by half-past six, and then choosing a companion, set off to visit some native family, when the scene was nearly as described in Caraccas,—room

badly lighted, and the ladies all seated together in formal order, in one corner, or at one end of the room, but less addicted to the custom of folding their legs under them than in most other parts of Colombia,—foreigners having laughed the young ladies out of a position so devoid of grace. The feet, as well as the head, are generally neatly dressed: the rest of the body is enveloped in a large shawl. I generally managed to break through the stiffness of the party, by inducing some young lady to rise in order to accompany her voice with some national air on the harp or piano-forte; the vacancy caused by her rising was immediately filled up by my companion, whilst I attended the young lady performing; thus all formality and ceremony was destroyed, and good-natured mirth reigned; the young ladies frequently whispering their thanks for separating them from their old grandmamas, as it enabled them to enter more unrestrainedly into conversation. From want of education, and those advantages which the old world possesses (in having books and materials for forming the mind, of which there is here great need,) conversation soon slackens, and on a repetition of visits you have the same topics every night, argued and re-argued in the same words. This sameness also pervades their music, as they do not play by sight, and would not know a note of music if they had it; the consequence is, that all being retained by the ear, there is no variety, so that a young lady soon exhausts her stock of musical knowledge, and you can only expect a repetition. The women seldom visit each other

other of an evening, except when specially invited; consequently you seldom find a family sufficiently large to form a dance; and they do not play at cards.

"These stupid parties have, I think, been the cause of a general system of gallantry, which at present is a bar to social and general converse, and in fact almost to society itself, as every young man selects the fair one to whom he pays his attentions, and night after night he is found by her side, and does not appear at all pleased if you engage his charmer's attention for a longer period than is actually requisite to return the compliments you pay on entering the room. If forsaken, or neglected for a few evenings, the ladies generally choose a fresh beau, which often creates no small misunderstanding on the return of the former cavalier, who has, perhaps, been sipping at some other flower: he is of course rejected with scorn on his return.

"This, as may be supposed, causes the ruin of many a fair female, and introduces such a licentious feeling, that they in general consider themselves, after marriage, especially if their husbands are out of the way, entitled to act exactly as inclination prompts. I am far from asserting this as without exception, for there are many highly respectable, virtuous, and honourable families; but I fear, speaking of morality in general, that of Colombia is at a low ebb."

Another sketch of manners occurs in one of the excursions from the city.

"At eight o'clock we arrived at Watcheta, and were very kindly received by the worthy curate, who supplied us with some very

tolerable Isanian wine, which had been presented to him on account of a celebration of marriage: and as we partook very freely of it, forgetting that the demijohn before us might be the whole of the stock of the good padre's cellar, our humorous friend Pépe Paris, as each time we filled our glasses, called out 'Very well, father, here goes another Misa;' meaning the value paid by the religious for the saying of an extra mass. The padre bore our carousing and our jokes with great good humour, notwithstanding he observed the demijohn to be manifestly fast decreasing.

"We all slept on sofas in the same room; and it was long before I could get to sleep, from the constant roar of laughter which our merry friend Paris kept us in, by telling most ridiculous stories, chiefly at the expense of the holy padres, in which our host most good-naturedly joined.

"Oct. 8th. At nine we left Watcheta, Senor Paris having previously bartered a double-barrelled pistol, with a broken pan, for one of the curate's mules. No sooner were we out of hearing, than he began to boast of having jockeyed the parson; but we had not proceeded far when the holy father's mule was done up, and could not keep up with the other baggage-mules. We formed a council to determine his worth, which we unanimously voted not to exceed twelve dollars; so that Rivero and myself had a famous laugh at the expense of poor Pépe, whose pistol had cost him forty dollars."

We shall add only one more characteristic trait.

"In the evening, attended high mass;

mass; and afterwards witnessed an imitation of bull-fighting, in the front of the church. A man, the tallest and most powerful in the place, was selected, on whom was fixed, and well secured; a large ox-hide, with enormous horns, hollowed and filled with brimstone and other combustible materials; a pair of eyes, as large and round as a saucer, and a tail of most tremendous length. The moon had not risen, and the night was dark, when the burning composition in the horns was ignited, and the sport commenced. The fiery bull attacked all the assembled world;—such shrieking, such running, such scampering: all was confusion and uproar! Some bolder than others faced the blazing bull, held up *roanas* before him, and shook flags in front of the flaming horns; some dexterously avoided the thrusts made at them; others, less fortunate, were falling beneath the force of the furious animal, who would frequently have set fire to his prostrate antagonist, but for the friendly interference of some companion, who would on such an occasion seize the bull by his convenient length of tail, and swing him round from his fallen foe, before he could satiate his revenge. This continued until the horns were consumed. I then visited Don Luis, brother to Senor Cacedo, who informed me that a guide and horses had been sent for my use. I immediately returned home, and retired to rest, being determined to start by three in the morning on my journey.

"At midnight a curious custom of the Roman-catholic church was performed, called the Cock Mass, in commemoration of the crowing

of the cock which took place on Peter's denial of Christ. When the curate commences the service, the people imitate and mock his gesture, tone of voice, and manner of reading; make all kinds of noise—shouting, bawling, hooting, and imitating the crowing of the cock, with every possible exertion of lungs; the whole forming an exhibition most deafening to the ear, and perfectly ridiculous to the eye. There is another church service, quite as ludicrous and preposterous, on the day of celebrating the Rending of the Veil of the Temple, when our Saviour gave up the ghost. The people have large hammers, with which they beat the benches, and have sheets of tin, &c. which they shake, to imitate the noise of thunder as nearly as possible. An English colonel, in the republican service, on this occasion thought he could add to the scene, by imitating the English foxhunter's tallyho, which he did with so much strength and clearness of lungs, as quite to exceed any noise of other persons: and gained by it so much of the curate's good will, who imagined that his religion was in proportion to the vehemence of his utterance, that after the service he came to him, and seizing his hand, thanked him most cordially for his kind addition to the devotion of the night."

The lake of Guatavita, which our countryman desires to drain, is famous in the legends of Colombia. The story runs thus:

"Previously to the conquest of the country by the Spaniards, a large district, containing about a million of inhabitants, was subject to the *Cacique* of Guatavita; who there had a considerable capital, and

and kept up an army of thirty thousand warriors, which caused him to be much respected by the neighbouring tribes, who brought him and his people gold dust in exchange for the produce of their fields, they generally being cultivators of the soil. This Lagoon, situated between nine and ten thousand feet above the level of the sea, and formed on the summit of a conical mountain, they considered as the residence of their protecting deity, to whom, from a religious motive, they thought it necessary to make offerings twice a year. In consequence of this, all the Cacique's subjects assembled at stated times, with their gold offerings; and, forming in grand procession, advanced with music to the Lagoon, winding up the mountain by a well-designed broad road, conducting to the summit, a few feet below which were then washed by the water of the lake. Arrived there, the Cacique and the principal chiefs embarked in large canoes, by steps formed in that break; (pointing to a rent in the top of the mountain which the eye could just make out.) The people at the same time distributed themselves all around the Lagoon. On arriving at the centre, the chiefs anointed the Cacique, and powdered him over with a profusion of gold dust: from which practice, in various parts of South America, has arisen the name of *El Dorado*.

"On a signal given, the multitude turned their backs on the Lagoon; and at the moment when the Cacique plunged into its bosom, they shouted, and threw in over their shoulders, as far as they could, their offerings. This done, the Cacique landed, and returned

to his capital, in the same manner as he came, considering that the sins of himself and people, committed during the last six months, were expiated. According to a calculation, made from a basis laid down by Monsieur de la Kier, of the Royal Institute of Paris, who particularly examined every document relating to the Lagoon, there ought to be gold and precious stones yet buried in it to the amount of one billion one hundred and twenty millions sterling. On the Spaniards conquering the country, they so cruelly persecuted the natives to obtain gold, that most of them threw what they had left into the Lagoon. The Cacique, himself caused to be cast into the centre of it the burdens of fifty men, laden with gold dust.

"Some of the chiefs, when afterwards taken prisoners, and ill used by the Spaniards, revenged themselves by saying, 'If it is gold you want, go and search at the bottom of the Lagoon, and you will find sufficient there;' supposing the undertaking to be impossible. The Spaniards, however, attempted it; and had got within fourteen feet of the bottom, when the sides fell in with a tremendous crash; and the Lagoon having springs in it, the waters began to rise. The Spaniards however had time, by examining the banks, and washing the mud and soil, to procure a sufficient sum to pay the government a quinta of one hundred and seventy thousand dollars (a quinta is three per cent.); and one emerald procured, and sent to Madrid, was alone valued at seventy thousand dollars. Several other attempts were made previously to the breaking out of the revolution; but none

none succeeded. At last, having a speculating turn, (continued my friend Pépe,) I determined to undertake it. Getting a grant from the executive government, I formed a company with sixteen shares, each person giving me five hundred dollars, in all eight thousand, which I thought would be sufficient; but unfortunately it has now cost me twenty thousand dollars, and there are still thirty-three feet of water left."

Captain C. adds—"An old Spaniard, sounding in the centre, drew up with the lead a small branch of a tree, in the mud surrounding which was found a golden image, worth about one hundred dollars: so there is every reason for hope."

8. *Practical and Internal Evidence against Catholicism.* By the Rev. Joseph Blanco White. 1825.

The author was descended from Irish ancestors; his grandfather left his country, and settled in Seville, where he was enrolled among the privileged gentry, and carried on business as a merchant. Yet, not forgetting his native country, he sent his eldest son, the father of Mr. White, for education there, that he might cling to that country also by early feelings of kindness; thus he combined in himself the two most powerful and genuine elements of a religionist—the unhesitating faith of persecuting Spain, and the impassioned belief of devoted Ireland. Both his parents were devotees of the warmest order. So high did the sacred reputation of his father stand, that, at his death, the house was thronged by the

populace—eager to obtain a last view of the body. Such parents lost no pains to instil into the mind of their child the principles of their faith, and their son in no case opposed their endeavours. He was educated for the church, and attained progressively the degrees of master of arts, bachelor of divinity, fellow of the college of St. Mary, a jesu of Seville, licentiate of divinity, priests' orders, and magistral or preacher in the chapter of King's chaplains at Seville.

Not till he had attained this latter rank, which he won by his superior theological knowledge, did his creed admit a doubt: now, however, some clouds passed over his mind, which the warmth of devotion soon dissipated, but for a time only;—his doubts returned;—he read the works of the French apologists, but in vain;—he soon took the usual and customary path—from superstition to atheism: and this he describes to be the general state of the better informed part of the Spanish clergy—atheists, wearing a mask, which, to throw aside, would be at once to resign their country and all dear to them in it. He would have fled; but fear, that such a step would bring his parents with sorrow to the grave, detained him for ten years in this state; at length, the approach of the troops of France enabled him to quit Spain, without exciting suspicion as to his real motive. He came to England; and, after passing through a state of mental discipline, which he describes at some length, he became a rational convert to rational christianity; he subscribed the articles, and has since been admitted a clergyman
of

of the church of England. From a man thus received from the bosom of the Romish church, more is to be learnt than from all the parliamentary examinations of Catholics before committees, guarded and studied, as their replies must be, and often required to answer what is entirely beyond their province.

Mr. White remarks, that in England, Romish writers are divided into two classes; those who write for the Romish church solely, and whose writings form the real portraiture of that church, and those whose writings, being intended for protestants, as well as papists, present only a softened and, indeed, an ideal portrait "of those, to him well known, features, which, unchanged and unsoftened, the writers are conscious cannot be seen without disgust by any of those to whom custom has not made them familiar." The most artful of these pictures, he describes to be exemplified in "The Book of the Roman Catholic Church, by Charles Butler, Esq.:" and, indeed, he gives some instances of mistatement, misquotation, and mistranslation, which Mr. Butler will find it difficult to defend. He instances, among others, Mr. B.'s account of the papal prerogative, and asserts, that it certainly does include, in the opinion of the pope and his hierarchy, temporal interference, whenever that interference is supposed to be for the good of the church. That the deposition of princes is one part of this pretended power, he instances the case of Elizabeth of England, and others for centuries before; instances which would be found in this day, had this spiritual potentate now,

as formerly, temporal swords to enforce his authority. But few things differ so much in outward appearance as popery in weakness and popery in strength: it is that which can never change; but, like the tiger, subdued by exhaustion or hunger for a time. A community truly Roman, wherever it is found, exhibits, even at this day, the blind cruelty and the dismal superstition of those ages, when all Europe lay beneath the cloud. In England, very little, indeed, is known of its virulence, or it would not have so many advocates. The inquisition of Spain was re-established in 1814.

The oath, not to interfere with the protestant establishment, Mr. White declares no Roman-catholic can, with a safe conscience, keep: that it is, in fact, a separation from the church of Rome, and the duty of every pastor to dissuade the members of his flock from taking it; and that, although English catholics reject indignantly the idea that the pope can dispense with these oaths, it is nevertheless a doctrine of the Romish church, and upon this point he quotes the high authority of St. Thomas Aquinas—"Sicut in voto aliqua necessitatis seu honestatis causa potest fieri dispensatio, ita et in juramento." The papal see has, to this day, preserved impenetrable silence upon this point. The authorities to which Mr. Pitt applied were unable, or had no right to take the question upon themselves; and Mr. White observes, that if, instead of the questions offered, the following had been put, it would have given less scope to the versatile casuistry of those bodies:—"Can the pope, in virtue of what Roman-catholics believe

believe of his divine authority, command the assistance of the faithful in checking the progress of heresy, by any means not likely to produce loss or danger to the Roman-catholic church? and can that church acknowledge the validity of any engagement to disobey the pope in such cases?"

Mr. White details, from undoubted sources, the folly, blasphemy, cruelty, and vice of that community to which he was so long the slave—whose institutions murdered his two sisters, and turned away from him the current of affection, which a fond mother had ever felt—that church which he describes as HAVING BEEN HIS CURSE.

His eldest sister died in a convent, at the age of twenty-two, and, of the youngest, he says, "Misled into the wilderness of visionary perfection, at the age of twenty, she left an infirm mother to the care of servants and strangers, and shut herself up in a convent, where she was not allowed to see even her nearest relations. With a delicate frame, requiring every indulgence to support it in health, she embraced a rule which denied her the comforts of the lowest class of society. A coarse woollen frock fretted her skin; her feet had no covering, but that of shoes open at the toes, that they might expose them to the cold of a brick floor; a couch of bare planks was her bed, and an unfurnished cell her dwelling. Disease soon filled her conscience with fears; and I had often to endure the torture of witnessing her agonies at the confessional. I left her, when I quitted Spain, dying much too slowly for her only chance of relief."

Interesting as portions of the history of mankind, though such information, may be, it is peculiarly in the political effect,—in influencing government,—in affecting the constitution,—in lessening the safety or the happiness of a free protestant people,—that, in days like these, any question connected with the Roman-catholic church is interesting to England; and it is to be feared, that too many of those who have to decide upon such questions, are not perfectly informed upon every point of them.

9. *Antediluvian Phytology, illustrated by a Collection of the Fossil Remains of Plants, peculiar to the Coal formations of Great Britain. By Edmund Tyrell Artis, F.S.A. F.G.S. 4to.*

The study of the remarkable branch of geology of which this volume treats, has been carried to a far greater extent upon the continent, than in this country. Indeed, with us the inquiry is in its earliest infancy; whereas among foreigners it has been pursued with diligence and zeal till several very curious results have been made out, and the phytology of the world before the flood illustrated by some extremely interesting discoveries.

"It will be seen (says Mr. Artis) in the course of this work how easy it would be to imagine even parts of the same specimen to be different species, when they happen to be broken and dispersed. The author may confidently assert, that in at least a thousand different specimens which he has in his possession, he does not apprehend that more than a hundred different species can be recognised. Furthermore,

thermore, still fewer indeed can be referred to any living species; for it is not the fern-like leaf of a plant, the palm-like cicatrix, or the cane-like joint of a stem, that will suffice to identify them with those tribes of the vegetable kingdom. The whole anatomy of the plant must be studied. The subject has indeed been begun by Professor Martius, in his comparison of certain fossil stems of plants with those of the living

plants growing in the Brasils; but the study is as yet too new to afford certain results. Accordingly, several of that professor's opinions are at variance with those of M. Adolphe Brongniart, who has also compared the recent and fossil vegetables together on this plan. But by following up this comparison, which has been so successfully adopted by Baron Cuvier in the study of fossil animals,* similar results may be ex-

* Having mentioned the name of Cuvier, the author cannot refrain from observing that by Cuvier's extensive comparisons between the skeletons of recent and fossil animals, he has shewn the analogy which exists between them; that animals very similar to the present races existed in a former world, and that, even in this island, evident traces have been left of their residence here, though at a more remote period than has been imagined.

The various caverns which have been explored throughout Europe, have shewn that elephants, hippopotami, rhinoceroses, and hyenas, were natives of this part of the world; and at a period probably not far distant from the time of that desolating current which excavated the vallies and bore away the forests.

The fossil remains of some animals, however, which have been collected in the British Islands, as well as in the other parts of Europe, are in all probability of postdiluvian origin, although the living animals of some species of them are no longer to be found—as those of the gigantic Irish elk, and several other species of deer, the horse, ox, boar, wolf, fox, and beaver.

Of these animals, four are no longer known to exist in the British Islands, namely, the Irish elk, the wolf, the boar, and the beaver.

Although we have scarcely any other evidence of the existence of the Irish elk as a postdiluvian animal than the skeletons which have been found in the alluvial soils that have been formed since that catastrophe, in which they are even discovered very frequently in an upright position; yet it is easy to conceive that from its bulk and weight, it might have met with frequent accidents, in crossing lakes on the ice, or being mired in soft grounds. And an animal, which at all times was probably scarce, and very conspicuous as an object of the chase, would speedily be destroyed even by a thinly scattered population of hunter tribes.

The existence of the wolf in these islands is a matter of historical record; and that of the beaver rests partly on tradition, partly on the fact of there being a name appropriated to this species of animal in two of the languages of the country, namely, the Cymric or Welch, and the Gaelic or Highland Scotch, which names are formed by derivation, and not adopted from other countries where these animals now exist.

The wild boar certainly contributed to the sports and feasts of the Romans along with the stag. In the course of the extensive researches which the author has made in the Durobrivæ, in making which he has caused numerous excavations to be made, and over a space of country nearly eight miles in circumference, he has been fortunate enough to raise the bones of various animals, particularly the tusks of the boar, and the antlers of the stag.

The various discoveries which these excavations have afforded the author in respect to antiquities, are now in course of description by a publication, in parts, under the title of “Roman Antiquities, or the Durobrivæ of Antonius identified in a series of plates, illustrative of the Excavated Remains of that Roman station, in the Parish of Castor, Northamptonshire.”

pected;

pected; and a knowledge of the extinct plants be at length attained."

To this general view of the subject, we will add Baron Schlotheim's classification of antediluvian plants, and thus enable our readers to see the state at which their examination has arrived.

"His specimens are first divided into five sections; or perhaps their more proper names would be orders.

"1. *DENDROLITHES*, containing the remains of trees, which are subdivided into three subsections.

"A. *Lithoxylites*, of which no characters are given, but from the specimens mentioned by him, he evidently arranges in this place the wood-stone and wood-opal of the mineralogists.

"B. *Lithantracites*. In which the Baron places the bitumenized stems, and other parts of trees.

"C. *Bibliolithes*. Fossil leaves, mostly of the later formations.

"2. *BOTANOLITHES*. Comprising those kinds of fossil plants which cannot be considered either as trees or shrubs, nor belonging to the plants of the old coal formation.

"All the specimens belonging to the preceding sections are merely enumerated, and not distinguished by generic and trivial names, as is the case with the following.

"3. *PHYTOTYPOLITHES*. Fossil plants of the stone coal formation. These the Baron divides syste-

matically into genera and species. The genera are these six:—

- a. *Palmacites*, containing fifteen species.
- b. *Casuarinites* five.
- c. *Calamites* ten.
- d. *Filicites* twenty-three.
- e. *Lycopodiolithes* five.
- f. *Poacites* four.

"In the whole sixty-two species.

"4. *CARPOLITHES*. Of which Baron Schlotheim enumerates fifteen species as present in his collection. This division is considered as a genus, as is also the next.

"5. *ANTHOTYPOLITHES*. The cabinet contains only one species, namely the *Anthotypolithes ranunculiformis*."

After alluding to the other continental authors, and giving their arrangements, Mr. Artis says:—

"Great Britain is so fertile in the remains of the plants existing at the moment of that great catastrophe which has preserved them for our inspection, that it would appear nearly every species of fossil plants mentioned by these authors is to be found in it; although at present our knowledge of them is very limited.

"This work is intended to extend these limits; and to exhibit a comprehensive illustration of these stupendous relicts of the early vegetable creation.

"The progress of this inquiry has led to the formation of several new genera, and the introduction of species which were unknown before."

CHAPTER II.

DISCOVERIES AND INVENTIONS,—FACTS IN ARTS,
SCIENCES, AND PHILOSOPHY.

Magnetic Equator.—The magnetic observations made by Capt. Duperrey, of the *Coquille* sloop of war, which sailed from Toulon on a voyage of discovery in August 1822, and returned to Marseilles in April last, are numerous and interesting. Every body knows that there are, on the surface of the globe, a number of spots where the compass ceases to point, and that a line drawn through those spots is called the magnetic equator. This equator must not be confounded with the terrestrial equator, round which it winds, as it were; sometimes passing to the north of it, and sometimes to the south, to a greater or less extent. In the course of his voyage, Duperrey crossed the magnetic equator six times; and the result of his observations renders it extremely probable, that the whole line is moving parallelly from east to west, with such rapidity, that since the year 1780, when its position was ascertained by scientific men in a very satisfactory manner, it has advanced no less than 10 degrees towards the west.—*French Paper.*

Paste for sharpening Razors.—Take a quantity of slate, wash it well, pound it in a mortar, and pass it through a very fine hair sieve; mix some of this powder, first with well-water, and afterwards with olive-oil, to the consistence of fat. Put some of this

paste upon a common razor-strap after it has been properly cleaned, so as to remove all foreign bodies from it. Pass the razor from right to left, as usual, ending with raising the back a little, and a perfect edge will be obtained.—*Jameson's Ed. Phil. Journal.*

Cooling of Glass.—Bellani finds, that after glass has been exposed to a great heat, on cooling, it never regains its original volume.—*Ib.*

Artificial Cold.—Brugnatelli informs us, the spirit of wine, æther, &c. mixed in certain proportions, with snow, afford temperatures as low as those produced by sea-salt.—*Ib.*

New mode of securing Anatomical Preparations in Spirits.—Dr. Macartney, of the university of Dublin, has employed a thin plate of Indian rubber, as a covering for preparation jars, in place of the former laborious and offensive one, by means of putrid bladder, sheet-lead, &c. It is essential, that the Indian rubber should be painted or varnished; after which, not the slightest evaporation of the spirits takes place. The material, by its elasticity, adapts itself to the variations in the volume of the contents of the jar from different temperatures, and this removes the principal cause of the escape of the spirits. It is probable, that leather, coated with Indian rubber, and painted, would answer as well as the rubber itself,

self, by which the expense would be greatly diminished.—*Ib.*

Antidote to Poison.—It is said, that a dessert spoonful of made mustard, mixed in a tumbler of warm water, has proved a successful antidote where a gentleman had taken a full ounce of poison in mistake for salts. It acts as an instantaneous emetic.

Rein Deer.—The attempt to naturalize Rein-deer in this country appears to have failed. In the autumn of 1823, a Norwegian, with five of the deer imported by Mr. Bullock, arrived at the seat of a gentleman in this county; here they remained during the winter, and were fed with the *lichen rangiferinus* (the moss upon which they feed in Lapland). They continued healthy until the following April, when they were removed to Clee Hill, on the highest part of which the *lichen* grows in great abundance; soon after this, one of them died with maggots in the head; this is no uncommon disease in Lapland, while the horns are in a tender state. Two others also died, having gradually declined. The two survivors appeared to thrive until autumn, when they were suddenly seized with diarrhoea, of which they died. From the enquiries we have made, we are led to believe that the deer sent to Ireland succeeded no better.—*Berrow's Worcester Journal.*

Silk.—It has just been proved, by M. Bolzani, that silk may be produced in the greater part of the Prussian states with as much facility as at Milan and in Piedmont. Notwithstanding the obstacles offered by the continual rains which have this year fallen in Prussia, and the general igno-

rance that prevails on the subject, he has succeeded in procuring a thousand pounds weight of silkballs perfectly spun; from which he will probably obtain a hundred pounds weight of fine silk, not inferior to the best silks of Upper Italy.

Poisonous effect of White Bread upon Dogs.—Dr. Magendie is said to have found, that when he fed dogs with white bread and water, they all died within 50 days. When the bran was left in the bread, no bad effects ensued.

Electrical Gale.—On the 6th Dec. 1823, about 100 miles to the west of the Fiord of Drontheim, the Griper, commanded by Capt. Clavering, experienced a severe gale which lasted three days, and during which period there was no intermission of its violence. This gale was remarkable for the small amount of the effect produced on the barometer, either on its approach, during its continuance, or on its cessation; and by the indications which were afforded of its having originated in a disturbed state of electricity in the atmosphere. It was accompanied by very vivid lightning, which is particularly unusual in high latitudes in winter, and by the frequent appearance, and continuance for several minutes at a time, of balls of fire at the yard-arms and mast-heads. Of these, not less than eight were counted at one time. (Sabine's Pendulum Experiments.)—*Dr. Brewster's Ed. Journal of Science.*

Indian Remedy for Fever.—The inflammatory fever called *tabardillo* is common in the hot as well as cold climates. The curative method adopted by the Indians may, in its prognostic, be considered

dered an improvement on the cold affusion. Some clay is procured, and mixed with water, until it acquire the consistency of batter: the patient is smeared all over his body with it; after an hour or two an examination takes place, and if the clay has become parched, and is peeled off, death is considered to be the inevitable result; but if it be cracked, and the pieces adhere to the body, a favourable result is expected. This is, most probably, the fruit of observation, as I believe the science of medicine among such people generally is; but the effect of the application in the latter case is a copious perspiration, which is absorbed by the clay, by which an adhesion to the cutis takes place, and prevents it from falling off: thus the experiment, if not at first founded on scientific principles, has been undoubtedly supported by practical facts.—*Stevenson's South America.*

The Coca Tree.—This is a small tree, with pale bright green leaves, somewhat resembling in shape those of the orange tree. The leaves are picked from the trees three or four times a year, and carefully dried in the shade; they are then packed in small baskets. The natives, in several parts of Peru, chew these leaves, particularly in the mining districts, when at work in the mines or travelling; and such is the sustenance that they derive from them, that they frequently take no food for four or five days, although they are constantly working. I have often been assured by them, that whilst they have a good supply of coca they feel neither hunger, thirst, nor fatigue; and that, without impairing their health,

they can remain eight or ten days and nights without sleep. The leaves are almost insipid, but when a small quantity of lime is mixed with them, they have a very agreeable sweet taste. The natives put a few of the leaves in their mouths, and when they become moist, they add a little lime or ashes of the molle to them, by means of a small stick, taking care not to touch the lips or the teeth; when the taste of the coca diminishes, a small quantity of lime or ashes is added, until the taste disappears, and then the leaves are replaced with fresh ones. They generally carry with them a small leather pouch, containing coca, and a small calabash, holding lime or ashes; and one of these men will undertake to convey letters to Lima, a distance of upwards of a hundred leagues, without any other provision. On such occasions they are called *chasquis*, or *chasqueros*, and this epithet is also given to the different conductors of the mails. The Incas had men stationed on all the principal roads for the transmission of any article belonging to the Inca, who, according to the quality of the road, had to carry it to different distances—some one league, others two, and others three. These men were continually employed, and when one of them arrived, he delivered to the one in waiting whatever he was charged with, and gave him the watch-word, *chasqui*; this man ran immediately to the next post, delivered his charge, and repeated *chasqui*; and then remained to rest until the arrival of another. By these means the court of the Incas was supplied with fresh fish from the sea.—*Id.*

New Light.—The interior of the

the theatre La Fenice, at Venice, is now lighted up by means of a new process invented by the mechanician Locatelli. It appears, from the description given of it by an Italian journal, that lamps concealed in the roof and fitted up with parabolic reflectors, throw all their rays of light upon an opening one foot in diameter, in the centre of the ceiling. This opening is furnished with an ingenious system of lenses, which concentrate the rays and reflect them to every part of the house. This mode of lighting presents several advantages; the light is more vivid and more generally diffused; nothing intervenes between the stage and the spectators occupying an elevated situation in front; the lamps may be approached to be trimmed without the public perceiving it; and there is neither smoke nor smell proceeding from the burning of oil. An idea of this method may be formed by representing to oneself a luminous disk on the sun at its zenith.

Composition of an Ink similar to China Ink.—Take six parts of isinglass, which are to be dissolved in double their weight of boiling water; in like manner, dissolve in two parts of water one part of Spanish liquorice; mix the two liquors warm, and gradually incorporate with them, by means of a wooden spatula, one part of the best ivory black. When this mixture is properly made, it is heated in a water-bath, that the whole of the water may be evaporated. The requisite form is then given to the paste which remains. The colour and goodness of this ink are equal to those of the true China ink.—*Jameson's Ed. Jour.*

Antidotes to Poisons.—Mr. J. Murray, in a paper in *Brewster's Edinburgh Journal of Science*, just published, after detailing a number of experiments on frogs, rabbits; &c., says, "I have no hesitation to pronounce with most positive certainty, that in ammonia will be found a complete antidote to hydrocyanics (or prussic) acid, and in acetic acid an effectual counter-poison to opium."

Barometers.—"Mr. Daniell has found that air insinuates itself into the vacuum of the best made barometers, in time, by creeping up between the mercury and the glass, and that it will insinuate itself between any fluid and any solid, when it has not attraction enough for the former to cause it to wet it. If any gas be confined in a glass jar for a length of time over mercury, it will make its escape, and its place be occupied by atmospheric air; whereas the same gas, if confined by water, will be preserved unmixed. Hence the best made barometers are often studded with air bubbles. The cure which Mr. Daniell has provided for these evils is to weld a narrow ring of platinum to the open end of the tube, which is immersed in the cistern. Boiling mercury amalgamates itself with platinum, and adheres to it when cold, *wetting it, but not dissolving it*; so that, by this means, the passage of the air is cut off as effectually as if the whole tube were wetted by it.—*Shumacher's Astronomical Nachrichten.*"

Pectic or Coagulating Acid.—This new acid has been discovered by M. H. Braconnot, and receives its name from $\pi\epsilon\kappa\tau\iota\kappa$, *coagulum*, in consequence of its resembling a jelly or gum. It is found in all vegetables.

vegetables. It is sensibly acid. It reddens turnsole paper. It is scarcely soluble in cold water, but more so in hot water. It is coagulated into a transparent and colourless jelly by alcohol, by all the metallic solutions, by lime-water, water of barytes, the acids, muriate and sulphate of soda, and nitre, &c. It forms, with potash, a very soluble salt, consisting of 85 parts of lead, and 15 of potash. This salt has the remarkable effect of communicating to large masses of sugar and water the property of gelatinising, which renders it of great use to the confectioner. Mr. Braconnot, in this way, prepared aromatised jellies, perfectly transparent and colourless, and very agreeable to the taste and the eye. He also made with rose-water, coloured with a little cochineal, rose-jelly of exquisite taste.—*Ann. de Chim.*"

Somnolency.—The celebrated physician, Hufland, has caused the following paragraph to be inserted in a Berlin paper:—"A late paper has contained an account of an extraordinary instance of lethargic drowsiness, which lasted for a considerable time. A still more singular example of this disorder occurred within my observation, in a young girl of Nede-bach, in Westphalia, who remained in a state of complete lethargy for 451 days. As this disorder appears to have become much more frequent than formerly in this country, I think it well to call the attention of the public to the effects of galvanism, as the best stimulant that can be employed in such cases."

Composition of Ancient Vases.—In No. XXV. of the Edinburgh Philosophical Journal, (Professor Jamieson's,) we find the following:
1825.

"Professor Hausman concludes an interesting disquisition on the composition of ancient Etruscan vases, with these results—

"1. That the manufacture of earthen vases appropriated to funeral occasions had been widely propagated at a remote period of antiquity, with little deviation from a general plan, in so far as regards their principal circumstances.

"2. That these vases have been formed with much particular diversity, in regard to less important circumstances, such as the quality of the clay employed, and differences in the forms, ornaments and paintings, not only in different countries and at different times, but also in the same countries, and at the same periods.

"3. That the finer sort of these vases are superior, in regard to the preparation of the clay, and the elegance and variety of the forms, as well as the ease of the paintings, to all others of the kind, whether of Roman or of modern manufacture; insomuch, that the pottery of the most remote ages forms the model of that of the present times.

"4. That the art of manufacturing those vases, as practised in very remote times, is much more worthy of estimation than our best performances in that way, since the ancients were not in possession of many assistances which are applied to the art by us, and because some things which are now done without difficulty, by means of certain instruments or machinery, were, in those times, perfected by means of the hand alone, by the greater dexterity of the artist.

"5. That certain circumstances were peculiar to the very ancient art

art of making and ornamenting those earthen vessels, which have evidently been lost in later times; of which may be mentioned, in particular, the composition of a very thin varnish, which gave a heightening to the colour of the clay in a greater or less degree, and afforded a very thin, firm, black coating, retaining its lustre to the most remote ages, and capable of resisting the action of acids and other fluids; so that the modern art of manufacturing pottery-ware may be materially improved, not only with regard to the forms and ornaments, but also the preparation and application of the materials, by a diligent and continued examination of those very ancient vases."

Swallowing Insects.—There is a curious account of a countryman, who suffered a long, severe, and debilitating illness, in consequence of having swallowed the larva of one of the dipterous tribes of insects, (*Tipulidæ*), commonly called dragon flies, which haunt our ditches and stagnant pools. This larva, instead of being destroyed, had become a large hairy caterpillar in his stomach, and caused the disease, which was finally cured by its being ejected in a fit of vomiting. It is extraordinary, that animal life should have been preserved in such a situation; but Dr. Yule, who writes the paper, mentions the larva of a carnivorous beetle, which not only lived, but moved briskly in strong alcohol. The ovo of many species are, indeed, almost indestructible.

Singular Eastern Custom.—In a paper, in Brewster's *Edinburgh Journal of Science*, by Dr. Govan, on the *Natural History, &c.* of the Himalayah Mountains, he states,

while at Nahan, which is from 3000 to 3200 feet above the level of the sea, and where the *Crotom* is used for fences, "Here I first noticed the custom which has been frequently observed to prevail in these districts, of laying the children to sleep, apparently much to their satisfaction, at the commencing heats, and until the rainy season begins, with their heads under little rills of the coldest water, directed upon them for some hours during the hottest part of the day. Here it was practised in the case of a life no less precious than that of the young Rajah of Sirmoor, a boy about ten or twelve years of age,—a sufficient evidence of the estimation in which the practice is held. It is most commonly, however, followed in the case of infants at the breast. The temperature of the water I have observed to be from 46° to 56° and 65°, and have only to add, that it seemed to me most common in those districts which, having a good deal of cold weather, are nevertheless subject to very considerable summer heats. It was a great preservative, the people affirmed, against bilious fever, and affections of the spleen, during the subsequent rainy months." Dr. Brewster relates the success of experiments which he had made, and from which he obtained excellent single microscopes, by disposing the lenses of fishes' eyes on silver paper. They last for several hours, and can very readily be replaced where occasion requires.

Professor Mitscherlich, of Berlin, furnishes a very able paper on the production of crystallized minerals by heat, from which the following important geological inferences are drawn:

"The

"The artificial production of minerals by fusion puts beyond the slightest doubt, the idea of our primitive mountains having been originally in a state of igneous fusion. This state gives a satisfactory explanation of the form of the earth, of the increase of temperature at greater depths, of hot springs, and many other phenomena. At that time, during this high degree of temperature, the water of the sea must have formed an elastic fluid round the globe, according to the experiments of M. Cagnard de la Tour.

"The primitive mountains are distinguished from the volcanic productions, chiefly in their containing lime and magnesia in the state of carbonates, while they form silicates and bisilicates with the silica in volcanic rocks. It is conceivable, that the silica, which in a higher degree of temperature at the ordinary pressure of the atmosphere, drives away the carbonic acid, is on the other hand expelled by the carbonic acid under the influence of a high pressure. It is not, therefore, surprising to find quartz crystals in Carrara marble. But, as at the period of the formation of volcanic rocks, this high pressure, produced by the evaporation of the water of the sea, did not take place any longer, we find in them the same combinations which we obtain in our laboratories, and in metallurgical processes.

"It is proved by many observations, that the level of the sea must have been, at some ancient period, higher than it is at present. This can be easily accounted for, if we consider that water heated must be more expanded than the solid earth. If we suppose with

M. de la Place, that the average depth of the sea is 96,000 feet, and assume the dilatation of the earth to be equal to that of glass, we find, that at a temperature of 100° centigr., the sea would be 4000 feet higher than it is at present, and that it would cover most of the secondary mountains. The melted masses shrink during their cooling. If this happens in large masses, cavities, garnished with crystals, must result, geodes, &c."

Mushet's Process for alloying Copper for Ships.—"In order to increase the tenacity of pure copper, to render it more fibrous, and to prevent the common effects of sea water upon it, Mr. Mushet has taken out a patent for the following process :

"He mixes with the copper, as an alloy, regulus of zinc, in the proportion of two ounces of zinc to 100lbs. weight of copper ; or two ounces of block or grain tin ; or four ounces of regulus of antimony ; or eight ounces of regulus of arsenic, in the same quantity of copper. Or, instead of employing these substances alone in the above-mentioned proportions, to 100lbs. of copper he proposes to add half an ounce of regulus of zinc, half an ounce of grain or block tin, one ounce of regulus of antimony, and two ounces of regulus of arsenic."

Saline Impregnation of Rain.—"After a severe storm on the 5th December, 1822, Mr. Dalton examined the rain that fell at Manchester, and found that it contained one grain of salt, muriate of soda, in 10,000 grains of water ; and as sea water contains one grain of salt in 25 of water, there must have been one grain of sea water in every 400 grains of rain water.

This storm was from the S. W. to the W. The S. W. wind comes from the coast of Wales, distant 100 miles, and the W. wind from off Liverpool, distant from 30 to 40 miles. In subsequent storms, Mr. Dalton found that there was

one grain of salt water in 200 grains of rain water, and that the salt water had been brought mechanically by the wind at least 30 miles." — *Manchester Memoirs*, New Series, vol. iv. p. 330, 370.

GENERAL METEOROLOGICAL ACCOUNT FOR 1825.

MONTH.	THERMOMETER.			BAROMETER.			RAIN. Inches.	WINDS.							
	Highest.	Lowest.	Mean.	Highest.	Lowest.	Mean.		N.	S.	E.	W.	NE.	SE.	NW.	SW.
January	55	25	38.40	30.68	29.23	30.1109	1.1	7	2	0	3	1	1	2	15
February ..	54	24	38.38	30.40	29.50	30.0483	0.75	0	2	3	2	0	8	1	12
March	55	22.5	39.97	30.48	29.12	30.0055	1.275	3	2	8	0	4	7	0	7
April	68	25.5	51.26	30.37	29.20	29.9348	1.575	1	1	4	1	6	7	0	10
May	78	24	54.79	30.48	29.56	29.8907	2.975	2	7	2	1	12	3	1	3
June	83	32	60.08	30.29	29.23	29.9289	1.35	0	1	2	4	6	1	2	14
July	91	38.5	66.02	30.24	29.70	30.0791	0.1625	10	2	4	0	2	0	8	5
August	89	40	62.34	30.26	29.40	29.8773	2.925	3	2	1	8	6	1	2	8
September ..	72	39	59.11	30.25	29.40	29.8301	2.475	5	6	1	4	1	4	5	4
October	67	26.5	50.87	30.40	28.94	29.8780	2.675	3	6	0	2	0	2	4	14
November ..	59	22.5	41.29	30.20	28.80	29.6308	3.65	4	3	0	4	1	0	6	12
December ..	53	22	40.10	30.00	28.90	29.5002	3.225	4	2	0	5	3	4	5	8
Year	91	22	50.22	30.68	28.80	29.8929	25.1375	42	26	25	34	42	38	36	112

CHAPTER III.

STATE OF THE FINE ARTS.

It is matter of congratulation that the structure of mind in these islands unites the various qualities requisite for forming a great and a noble nation. Had Great Britain not yet attained her present national pre-eminence, it might have been foretold that the spirit which has so often stimulated her to victory; the energy and enterprize which has so far extended her commerce; the comparative rectitude in principle; the benevolence which flows in so many charities; the intellect evinced by her scholars; and the excellence of her artists, must eventually place her in the first rank of ancient or modern nations. Which nation, of all those who have taunted her upon her atmosphere of fogs, and

her dulness of imagination, possesses a school equal in power, thought, purity, and genuine merit to the school of England? In water colour drawing she is confessedly unrivalled. The Royal Academy, the British Gallery, the Society of British Artists, the Water Colour Exhibition are all rich cabinets of art, possessing treasures which would be prized in any nation, and in any country.

No new name occurs this year, but the artists of last and of former exhibitions lose no part of their reputation. Sculpture is decidedly on the advance among us, and for the state of architecture we may look around at the magnificence which ennobles our streets.

POETRY.

THE LOVER'S LAST DIRECTIONS.

*A remarkable specimen of Cephaloniote superstitions : from Sheridan's
Translation of the Songs of Greece.*

COME quick, when told that I am sick,
Or thou wilt come in vain ;
Observe the words I tell thee now,
And we may meet again.

Remember ! when thy trembling steps
Have past the outer gate,
Dearest ! unplait thy braided locks,
E'er told thy lover's fate.

Then, if my weeping mother says,
' He slumbers in his bed,'
Go, smooth my pillow with thy hands,
And lift my languid head.

Let me still feel that lov'd support,
Till life's last spark has flown—
Wait till you see the priest is robed,
And hear his awful tone ;

Then, dearest ! *give my withered lips
A cold and holy kiss ;*
When four young friends support my corse ;
Dearest ! remember *this :*

Throw stones against that mournful group ;
And when they pass thy door,
Clip every tress that was thy pride,
And my delight before.

And when they lay me in the church,
As fluttering captives tear
Their plumage, robb'd of all their young,
So pluck thy silken hair.

And when the burial chaunt is hush'd,
The holy tapers dim,
Gaze on thy lover's grave, and feel,
E'en *there* thou art with him.

THE ORANGE TREE.

By W. Sotheby.

SWEET is the vernal rose
 That scents the morning gale :
 And sweet at day-light close
 The silver lily blows,
 Filling with fragrant breath the dewy vale,
 They flourish, and decay :
 They bloom, and, blooming, fail :
 Leaf after leaf, fades, falls, and dies away.
 Thy morrow, like thy day,
 Beholds thee gifted with perpetual growth,
 Thee, child and mother, both :—
 And every season sweet,
 Spring, summer, autumn, not in slow advance,
 Nor singly, thee, with separate offerings, greet,
 But, like the Graces, that in the linked dance
 Join hand in hand, and wreath their mingled feet,
 With all their treasures, all at once, endower :
 The golden fruit, green leaf, and silver flower."

 LINES, BY L. E. L.

MY heart is as a grave,
 Where Hope and Love lie sleeping ;
 With its dark thoughts like cypress,
 Watching and weeping.

Yet, flowers are on that grave,
 Albeit sad they be ;
 And hidden treasures in it,
 Sweet memories of thee.

My heart is as a gem,
 Sullied and broken ;
 But bearing signs that make it still
 A precious token.

Thy image has been there ;
 Nothing can quite efface
 The beauty of the spot
 Which has been thy resting place :

As that garden of the East,
 In itself no longer fair,
 Has yet perfume on its beds,
 For the rose has once bloomed there.

CANZONET.

CANZONET.

(By James Edmeston.)

TALK with thine eyes—though music dwells
Amidst the accents of thy tongue ;
The language of a glance excels
The sweetest sounds that thence have sprung ;
These o'er the captive ear may roll,
But those hold converse with the soul.

THE WORM.

(By James Edmeston.)

MORTAL ! enjoy thy feast to-day,
Soon will the present hour be past ;
That laden board will pass away ;
The worm will feed on THEE at last !

Quick—circle round the ruby flood ;
To-day, the banquet brims for thee—
To-morrow, he will pledge thy blood
In dark sepulchral revelry.

Rich are the dainties that he knows ;
From BEAUTY'S pale lip sips the dew ;
Diets upon her velvet rose,
And eats the heart of VALOUR through !

He shall impress an icy kiss,
Where warmer lover vainly sigh'd ;
The secrets of that heart are his,
Where never yet observer pry'd.

And if within the sage's brain,
Of learning past remaineth aught,
He'll wander through, and through again,
And trace the labyrinth of thought.

Yet, start not, slumb'rer,—he will creep
Lighter than feather o'er thy breast ;
Nor mar one moment of thy sleep,
A harmless, inoffensive guest.

Unfelt as Time's light shadow flies,
 E'en to thyself the change unknown :
 The worm that gnaws, and never dies,
 Exists in living breasts alone !

"THE WRECK."

(By Mrs. Hemans.)

ALL night the booming minute-gun
 Had pealed along the deep,
 And mournfully the rising sun
 Look'd o'er the tide-worn steep.
 A bark from India's coral strand,
 Before the rushing blast,
 Had vail'd her topsails to the sand,
 And bow'd her noble mast.

The queenly ship !—brave hearts had striven,
 And true ones died with her !
 We saw her mighty cable riven,
 Like floating gossamer !
 We saw her proud flag struck that morn,
 A star once o'er the seas,
 Her helm beat down, her deck uptorn,—
 And sadder things than these !

We saw her treasures cast away ;
 The rocks with pearl were sown ;
 And, strangely sad, the ruby's ray
 Flash'd out o'er fretted stone :
 And gold was strewn the wet sands o'er,
 Like ashes by a breeze,
 And gorgeous robes,—but oh ! that shore
 Had sadder sights than these !

We saw the strong man, still and low,
 A crush'd reed thrown aside !
 Yet, by that rigid lip and brow,
 Not without strife he died !
 And near him on the sea-weed lay,
 Till then we had not wept,
 But well our gushing hearts might say,
 That *there a mother* slept ;

For

For her pale arms a babe had pressed*
 With such a wreathing gasp,
 Billows had dashed o'er that fond breast,
 Yet not undone the clasp!
 Her very tresses had been flung
 To wrap the fair child's form,
 Where still their wet, long streamers clung,
 All tangled by the storm.

And beautiful, midst that wild scene,
 Gleam'd up the boy's dead face,
 Like Slumber's, trustingly serene,
 In melancholy grace.
 Deep in her bosom lay his head,
 With half-shut violet eye;
He had known little of her dread,
 Nought of her agony!

Oh, human love! whose yearning heart
 Through all things vainly true,
 So stamps upon thy mortal part,
 Its passionate adieu!
 Surely thou hast another lot,
 There is some home for thee,
 Where thou shalt rest, remembering not
 The moaning of the sea!"

MY OWN FIRE SIDE.

(*By Alaric Watts.*)

"LET others seek for empty joys,
 At ball, or concert, rout, or play;
 Whilst, far from Fashion's idle noise,
 Her gilded domes, and trappings gay,
 I while the wintry eve away,—
 'Twixt book and lute, the hours divide;
 And marvel how I e'er could stray
 From thee—my own Fire-side!
 My own Fire-side! Those simple words
 Can bid the sweetest dreams arise;
 Awaken feeling's tenderest chords,
 And fill with tears of joy my eyes!

* This circumstance is related of Mrs. Cargill, an actress of some celebrity, who was shipwrecked on the rocks of Scilly, when returning from India.

What is there my wild heart can prize,
That doth not in thy sphere abide,
Haunt of my home-bred sympathies,
My own—my own Fire-side!

A gentle form is near me now ;
A small, white hand is clasped in mine ;
I gaze upon her placid brow,
And ask what joys can equal thine !
A babe, whose beauty's half divine,
In sleep his mother's eyes doth hide ;—
Where my love seek a fitter shrine,
Than thou—my own Fire-side!

What care I for the sullen roar
Of winds without, that ravage earth ;
It doth but bid me prize the more,
The shelter of thy hallowed hearth ;—
To thoughts of quiet bliss give birth :
Then let the churlish tempest chide,
It cannot check the blameless mirth
That glads—my own Fire-side!

My refuge ever from the storm
Of this world's passion, strife, and care ;
Though thunder-clouds the sky deform,
Their fury cannot reach me there.
There, all is cheerful, calm, and fair ;
Wrath, Malice, Envy, Strife, or Pride,
Have never made their hated lair,
By thee—my own Fire-side!

Thy precincts are a charmed ring,
Where no harsh feeling dares intrude ;
Where life's vexations lose their sting ;
Where even grief is half subdued ;
And Peace, the halcyon, loves to brood.
Then, let the pampered fool deride ;
I'll pay my debt of gratitude
To thee—my own Fire-side!

Shrine of my household deities !
Fair scene of home's unsullied joys !
To thee my burdened spirit flies,
When fortune frowns, or care annoys :
Thine is the bliss that never cloy ;
The smile whose truth hath oft been tried ;
What, then, are this world's tinsel toys
To thee—my own Fire-side!

THE WATCHING WIFE.

(*By James Edmeston.*)

WHERE dost roam, thou wanderer,—
 Art thou far or near?
 Haste thee hither, a ponderer
 Waits thy footsteps here;
 Where the taper glistening,
 Shines across the moor;
 Waiting, watching, listening,
 By thy cottage door.

Moon serenely brightening,
 Lift thy silver ray!
 Clouds and storms and lightning,
 Be ye far away!
 Wisp fires wildly twinkling,
 Cause him not to roam,
 Sheep bells gently tinkling,
 Guide him to his home!

Nought to harm or frighten him,
 Thieves, or snares, or ill;
 All to cheer and lighten him,
 Tend his footsteps still:
 Traveller—haste—miscarry not,
 Tell him, should'st thou see—
 Tell him——. Haste, and tarry not;
 Quickened his steps to me!

LINES.

(*By James Edmeston.*)

THE Rose was pouting her ruby lip,
 The Lily displaying her neck of snow;
 The golden-haired Tulip stood by, a tip,
 But the Violet bloomed below!

The summer sun smiled on the Rose so fair,
 The summer sun smiled on the Lily so white,
 And he gazed on the Tulip's golden hair,
 But the Violet 'scaped his sight!

The storm wind came from the northern hill,
 The breasts of the flowers opposed the blast,
 Its keen cold scythe laid them dead and still,
 But the Violet low it passed.

Oh lowliness, lowliness, dearest lot,
 Thee pride never dazzles, nor care deforms;
 The sun of prosperity harms thee not,
 Nor the blast from the hill of storms!

LINES.

(By James Edmeston.)

DEARER far to me, above
 All the gay account a treasure;
 Memory of the lost of love,
 Art thou pain, or art thou pleasure?
 Art thou pleasure?—Such a smart
 Never surely tokened weal;
 Is it pain that thrills my heart?
 'Tis a pain I love to feel:
 Lightsome sorrow, gloomy gladness,
 Sad delight, delightful sadness!

CAPRICE.

(By James Edmeston.)

LOVE is a bird of summer skies,
 From cold and from winter he soon departs,
 He basks in the beam of good-humoured eyes,
 And delights in the warmth of open hearts:
 And where he has once found chill and rain,
 He seldom returns to that bower again.

Harriet's brow was passing fair,
 And LOVE in the shape of a mortal sprite,
 Came to bask in the sunshine there,
 And plume his soft wings for delight:
 But a winter cloud would oft come o'er,
 And then for a time,
 Without reason or rhyme,
 That sun would shine no more;
 But chills and clouds the sky deform,
 Cold and dark as December's storm.

It chanced in one of these winter showers,
As a cloud passed by,
(No one knew why)
And frightened poor LOVE from his garden of flowers,
He wandered in sadness away, away,
Till he came to a bower that stood hard by ;
Here all was a sunny summer's day,
And never a cloud came over that eye,
But morning and night,
It beamed ever bright,
With spirit, and joy, and courtesy !

He laid himself down—the hours flew o'er,
He thought of the spot he had left no more,
For all was here,
Without shadow or fear,
And each moment was sweet as the air before.

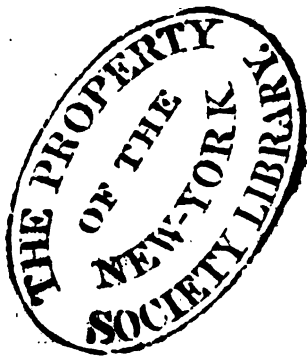
Some friend of poor HARRIET passing that way,
Saw Love in the flowers, and told the maid,
That not long ago she had seen him lay
Reclined in the bower of ADELAIDE :
“ No matter,” said she, “ let him wander awhile,
I can, when I please, bring him back by a smile.”

But Ladies who trust so much to their power,
To recover the heart their caprice has lost,
Will prove in many a bitter hour,
The danger of playing with LOVE to their cost !

Many a day and week passed by,
And Harriet, though she would not tell
That she loved the wanderer deep and well,
Breathed many a secret sigh :
And she managed to get it conveyed to the swain,
By some kind friend in a roundabout way,
That if he thought proper to seek her again,
The weather in future might be more gay !

LOVE declined with a bow, “ I thank you, my dear,—
I am perfectly happy and free from care,
I ne'er saw other than summer here,
And why run the risk of winter there ?”

FINIS.



R. CLAY, PRINTER, DEVONSHIRE STREET, BISHOPSGATE.

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